

99006004017000, 99006004017000

Applying for a different rest period

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/428922616/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99006004017000, 99006004017000
Leistungsbezeichnung I	Applying for a different rest period
Leistungsbezeichnung II	Applying for a different rest period
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	Bewilligung (017)
SDG-Informationsbereich	Gesetzlich oder durch Rechtsverordnung geregelte Beschäftigungsbedingungen einschließlich Arbeitsstunden, bezahlter Urlaub, Urlaubsansprüche, Rechte und Pflichten in Bezug auf Überstunden, Gesundheitskontrollen, Beendigung von Verträgen, Kündigung oder Entlassungen)

Modul	Sachverhalt
Lagen Portalverbund	Sonderregelungen der Arbeitszeit (2030700)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	28.10.2022
Fachlich freigegeben durch	Federal Ministry of Labour and Social Affairs (BMAS)
Handlungsgrundlage	https://www.gesetze-im-internet.de/arbzg/_15.html
Teaser	Under certain conditions, as an employer you can obtain permission for employees in your company to have rest periods that deviate from working time regulations.
Volltext	In principle, employees have their tried and tested 8-hour day. After the end of the working day, employees are entitled to an uninterrupted rest period of 11 hours. Under certain conditions, as an employer you can have rest periods for employees in your company that deviate from working time regulations approved by the competent supervisory authority in your federal state, namely • for standby duty, on-call duty and on-call duty in the public sector, if there are special circumstances, for example for winter services, and • twice within 3 weeks for shift work in order to achieve a regular weekly shift change. This applies both to the rest period after work on weekdays and after work on Sundays and public holidays. You are not entitled to an exemption permit.
Erforderliche Unterlagen	• Risk assessment (in particular with regard to mental stress due to the different position of the rest period) • Statement from the company doctor • Statement from the works council (if available) • Proof that flexible deployment of employees is necessary either for reasons of public safety and order or for the provision of services of general interest • Schedules for night shifts, showing in particular the opportunities for breaks • Proof that the deviating rest period enables a regular weekly shift change

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	The responsible occupational health and safety office can request further information and documents if required.
Voraussetzungen	• Your employees are employees on standby, on-call duty or on-call duty in the public service of general interest or public safety and order. For a consent according to § 15 paragraph 1 no. 3 ArbZG: - Employees are engaged in standby duty, on-call duty and on-call duty in the public sector. - A diligent commitment of the employees must be necessary for reasons of public safety and order or services of general interest.
Kosten	The amount of the fees results from the Lower Saxony General Fee Schedule (AllGO) and, depending on the number of approved days and the number of employees to be employed, is between € 200.00 and € 5,200.00.
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	There are no indications or special features.
Rechtsbehelf	
Kurztext	• Deviation from regulations on rest periods Approval • An application must be made for a rest period that deviates from the Working Hours Act • authorization is only granted under certain conditions • the permit is limited in time • Responsible: local authority responsible for occupational health and safety
Ansprechpunkt	

Modul

Sachverhalt

Zuständige Stelle

The districts are responsible for the personnel of legal entities that are under the supervision of the districts.

The State Office for Mining, Energy and Geosciences is responsible for the personnel of the companies subject to mining law.

All other establishments are the responsibility of the locally competent State Labour Inspectorates.
https://www.gewerbeaufsicht.niedersachsen.de/startseite/wir_uber_uns_aktuelles_lokal/gewerbeaufsichtsamt_er/zustaendigkeitsbereiche-der-staatlichen-gewerbeaufsichtsaeamter-in-niedersachsen-52142.html
https://www.gewerbeaufsicht.niedersachsen.de/startseite/wir_uber_uns_aktuelles_lokal/gewerbeaufsichtsamt_er/zustaendigkeitsbereiche-der-staatlichen-gewerbeaufsichtsaeamter-in-niedersachsen-52142.html

Formulare

Ursprungsportal

Applying for a different rest period, Abweichende Ruhezeit beantragen