

99041018087000

# Elternzeit Inanspruchnahme

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/100216148/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99041018087000
Leistungsbezeichnung I	Elternzeit Inanspruchnahme
Leistungsbezeichnung II	Planning and registering parental leave
Typisierung	6 - Allgemeine Hinweise, nicht spezifische für eine Leistung
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Inanspruchnahme (87)
SDG-Informationsbereich	
Lagen Portalverbund	Vor der Geburt (1010100), Nach der Geburt (1010200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	04.06.2024

Modul	Sachverhalt
Fachlich freigegeben durch	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ)
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/beeg/_16.html">https://www.gesetze-im-internet.de/beeg/_16.html</a>
Teaser	You can plan your 3 years of parental leave flexibly, but you must meet certain requirements. You must give notice of your parental leave to your employer.
Volltext	<p>As a parent, you are entitled to unpaid leave from work to care for and raise your child. This parental leave lasts up to 3 years.</p> <p>It is generally popular to take parental leave until the child's 3rd birthday. However, you can also take part of your parental leave between the child's 3rd and 8th birthday. After the child's 3rd birthday, however, you may take a maximum of 24 months of parental leave.</p> <p><b>**Registering parental leave**</b></p> <p>Both parents can take parental leave, regardless of whether the other parent takes parental leave. Each parent is entitled to 3 years of parental leave. The decisive factor is that you have registered your parental leave informally and in good time with your employer. The employer is obliged to confirm the parental leave.</p> <p><b>**Planning parental leave**</b></p> <p>You can take parental leave as long as you meet certain requirements.</p> <p>Those entitled to parental leave are free to choose the start date of their parental leave. The maternity protection periods after the birth count as used parental leave, even if the parental leave is not taken directly after the maternity protection period.</p> <p>Parental leave begins on the date specified by the person entitled to parental leave. Parental leave begins on the date notified by the parent</p> <ul style="list-style-type: none"> <li>• It is not necessary for the mother to take parental</li> </ul>

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leave during the maternity protection period. This should only begin after the maternity protection period.

- The maternity protection period is regarded as used parental leave.

- For the other parent, parental leave begins from the birth of the child at the earliest.

You can divide your parental leave into 3 periods or take it all at once. The decisive factor for the division is whether the parental leave or parts of the parental leave

- before the 3rd birthday or
- between the 3rd birthday and the 8th birthday

of your child.

If the third period falls entirely after the third birthday, the employer may refuse this parental leave for urgent operational reasons.

If you register for parental leave within the first 3 years of your child's life, a commitment period of 2 years applies. During this period, you must make a binding declaration to your employer as to how you would like to take parental leave during these 2 years from the start of parental leave. If you only announce part of your parental leave during this commitment period, you can only register further parental leave for the commitment period retrospectively with your employer's consent.

You must notify your employer of parental leave up to your 3rd birthday at least 7 weeks before the desired start date.

After the end of the commitment period, you can again freely dispose of your remaining parental leave.

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You must register parental leave during this period with your employer at least 13 weeks before the desired start date.

### **\*\*Extending parental leave\*\***

You can extend your parental leave at any time if you have not yet used up the full 3 years. The employer must agree to the extension if you are still in the commitment period. Outside of the commitment period, parental leave can also be declared without the employer's consent, subject to the registration deadline.

If you wish to extend your parental leave, this does not count as a new period unless you have

- worked again in the original employment relationship,
- taken maternity protection periods or
- taken parental leave for another child

### **\*\*Ending parental leave early\*\***

You can terminate your parental leave prematurely at any time with the consent of your employer. Parental leave can only be terminated early without the employer's consent in special cases:

- due to a particular case of hardship:
  - Serious illness,
  - severe disability or death of a parent or child,
  - serious threat to the parents' financial existence,
  - to take a new maternity protection period.

If the child dies during parental leave, the parental leave ends no later than 3 weeks after the date of death.

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## Erforderliche Unterlagen

- Written registration with your employer

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	<ul style="list-style-type: none"> <li>• Birth certificate of the child, if applicable</li> <li>• Acknowledgment of paternity, if applicable</li> <li>• Consent of the custodial parent, if applicable</li> </ul>
Voraussetzungen	<p>The prerequisite for parental leave is that you</p> <ul style="list-style-type: none"> <li>• work full-time, part-time, on a fixed-term or permanent contract (mini-job) or from home. You can work in Germany or abroad, but your employment relationship must be governed by German employment law. Exceptions may apply for employees who have their place of work in Germany under foreign law.</li> <li>• live in the same household as your child. This does not require a jointly registered place of residence.</li> <li>• look after and bring up the child yourself.</li> <li>• do not work at all or work a maximum of 32 hours per week during parental leave.</li> </ul>
Kosten	There are no costs.
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	<a href="https://familienportal.de/familienportal/familienleistungen/elternzeit">https://familienportal.de/familienportal/familienleistungen/elternzeit</a> <a href="https://www.bmfsfj.de/resource/blob/185424/5b90c242725e545669b2e7536503c75b/elterngeld-und-elternzeit-data.pdf">https://www.bmfsfj.de/resource/blob/185424/5b90c242725e545669b2e7536503c75b/elterngeld-und-elternzeit-data.pdf</a> <a href="https://www.bmfsfj.de/BMFSFJ/Service/servicetelefon-kontakt.html">https://www.bmfsfj.de/BMFSFJ/Service/servicetelefon-kontakt.html</a> <a href="https://familienportal.de/familienportal/familienleistungen/elterngeld">https://familienportal.de/familienportal/familienleistungen/elterngeld</a>
Hinweise	There are no indications or special features.
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> <li>• Taking parental leave</li> <li>• Register for parental leave</li> <li>• Parental leave is an unpaid leave of absence from work for parents after the birth of a child</li> <li>• Parental leave can be taken until the child's 8th birthday</li> </ul>

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- Parental leave lasts up to 3 years
- a maximum of 24 months can be taken after the child's 3rd birthday
- Both parents can take parental leave, regardless of whether the other parent also takes parental leave
- The maternity protection periods after the birth count as used parental leave
- Parental leave begins on the date registered by the parent,
  - from the birth of the child at the earliest
- Parental leave can be divided into 3 periods
- the decisive factor for the division is whether the parental leave or parts of the parental leave
  - before the child's 3rd birthday or
  - taken between the 3rd birthday and the 8th birthday
- Parental leave up to the child's 3rd birthday is subject to a commitment period
- Parental leave between the child's 3rd birthday and the 8th birthday can be planned flexibly
- Parental leave can be extended during the commitment period with the employer's consent
- Notification of parental leave: in writing, but informally to the employer
- Deadline for registration:
  - within the first 3 years of the child's life, no later than 7 weeks before the start of parental leave
  - from the 3rd birthday to the day of the child's 8th birthday at the latest 13 weeks before the start of parental leave
- Employer is obliged to confirm parental leave
- Responsible: Service team of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ)

## Ansprechpunkt

## Zuständige Stelle

## Formulare

## Ursprungsportal

Elternzeit Inanspruchnahme, Elternzeit Inanspruchnahme