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Request deviating regulations for shift operation

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/401011251/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99006005017000, 99006005017000
Leistungsbezeichnung I	Request deviating regulations for shift operation
Leistungsbezeichnung II	Request deviating regulations for shift operation
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
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 — auch für entsandte Arbeitnehmer — (einschließlich Informationen über Arbeitsstunden, bezahlten Urlaub, Urlaubsansprüche,

Modul	Sachverhalt
	Rechte und Pflichten bei Überstunden, Gesundheitskontrollen, Beendigung von Verträgen, Kündigung oder Entlassungen)
Lagen Portalverbund	Sonderregelungen der Arbeitszeit (2030700)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	31.10.2022
Fachlich freigegeben durch	Federal Ministry of Labor and Social Affairs (BMAS)
Handlungsgrundlage	https://www.gesetze-im-internet.de/arbzg/_15.html https://www.gesetze-im-internet.de/arbzg/_15.html
Teaser	As an employer, you can apply for working hours that deviate from working time regulations for employees in your company under certain conditions.
Volltext	<p>As an employer, you can apply for approval for longer daily working hours for employees in your company under certain conditions.</p> <p>The permit is provided by law for:</p> <ul style="list-style-type: none"> • continuous shift operations • construction and assembly sites • seasonal and campaign operations • special activities for the construction, modification or operation of structures, artificial islands or other installations at sea (offshore activities). <p>The application must be submitted to the locally competent authority for occupational health and safety.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • For all establishments: <ul style="list-style-type: none"> • Information on the activity • Number of employees for whom a permit is to be issued • Contact person in the company with contact details • Risk assessment (especially with regard to mental

Modul

Sachverhalt

stress caused by longer working hours)

- Statement by the company physician
- Statement of the works council (if available)
- Additionally for continuous shift operations:
 - Duty/shift schedules showing that the extension of working hours will result in additional free shifts.
 - Sequence plans for day and night duties/shifts, which in particular also show the break options.
- Additionally, for construction and assembly sites:
 - Information on the type and severity of the work
 - organization of working hours
 - Distance between place of work and place of residence
 - Duration of the rest period at the place of residence
- Additionally, for seasonal and campaign operations:
 - Information on season or campaign, respectively
 - Organization of working time
 - Period in which the working time is reduced.

Voraussetzungen

You may request an extension of your employees' daily working hours under the following conditions:

- For continuous shift operation, if additional free shifts are achieved. Additional free shifts exist if the extension of working hours results in more free consecutive days for the employees concerned than before.
- For construction and assembly sites, especially relevant when the work site is far from the employees' home and the employees are ensured a correspondingly longer rest period at home for the extended working time at the construction or assembly site.
- For your seasonal or campaign operation, if there is an exceptional workload for the particular time of year that cannot be absorbed by other organizational measures.

Kosten

- The granting of approval or rejection of your application is subject to a fee. The fees are country-specific and are calculated according to the administrative effort or depend on the number of employees to be deployed.

Modul
Sachverhalt
Verfahrensablauf

You can apply for approval for deviations to shift work in writing. To do this, you must perform the following steps:

- You submit an informal application.
- You send this to the locally responsible authority, including the required documents.
- If the required documents or information for processing are incomplete, you will be contacted by the processing department.
- The local occupational health and safety authority reviews the application.
- Once the official review has been completed, you will receive a notice of approval or a notice of rejection.
- The locally competent authority will send you the notice by e-mail or by post.
- The fee notice will usually be sent to you later.

The decision of the responsible occupational health and safety authority is based on dutiful discretion. Within the framework of this decision, a balancing of the interests of the protection of the safety and health of the employees and the operational interests of the employer takes place.

Bearbeitungsdauer

Je according to the examination effort (usually a few weeks after submission of the complete documents).

Frist

- There is no time limit.
- If you have submitted an application, extended working hours are only permitted once you have received approval. Retroactive approval cannot be granted.

weiterführende Informationen
Hinweise

Night and shift work is regulated by the Working Hours Act.
 In the case of other reasons, these are examined and longer working hours are approved if necessary.
 An online service has been developed for Hamburg.
 For this online service, individual federal states can apply for co-use

Modul	Sachverhalt
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Deviation from shift work regulations Approval • The following exceptions to the regulations on working hours are eligible for approval: <ul style="list-style-type: none"> • continuous shift operations • construction and assembly sites • seasonal and campaign operations • special activities for the construction, modification or operation of structures, artificial islands or other installations at sea (offshore activities). • responsible: local competent authority for occupational health and safety
Ansprechpunkt	State Office for Consumer Protection
Zuständige Stelle	
Formulare	<p>Forms available: No</p> <p>Written form required: No</p> <p>Informal application possible: Yes</p> <p>Personal appearance required: No</p> <p>Online service available: No</p>
Ursprungsportal	Abweichende Regelungen zum Schichtbetrieb beantragen, Request deviating regulations for shift operation