

99006054273000, 99006054273000

Applying for an exemption from the ban on overtime, night work, piecework or continuous flow work

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/489306325/L100040>

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Leistungsschlüssel	99006054273000, 99006054273000
Leistungsbezeichnung I	Applying for an exemption from the ban on overtime, night work, piecework or continuous flow work
Leistungsbezeichnung II	
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	Ausnahmebewilligung (273)
SDG-Informationsbereich	Gesetzlich oder durch Rechtsverordnung geregelte

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	Beschäftigungsbedingungen — auch für entsandte Arbeitnehmer — (einschließlich Informationen über Arbeitsstunden, bezahlten Urlaub, Urlaubsansprüche, Rechte und Pflichten bei Überstunden, Gesundheitskontrollen, Beendigung von Verträgen, Kündigung oder Entlassungen)
Lagen Portalverbund	Schwangerschaft und Elternschaft (2030600)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	06.03.2023
Fachlich freigegeben durch	Lower Saxony Ministry for Social Affairs, Labor, Health and Equality
Handlungsgrundlage	https://www.gesetze-im-internet.de/muschg_2018/_29.html https://www.gesetze-im-internet.de/muschg_2018/_29.html https://www.gesetze-im-internet.de/muschg_2018/_29.html https://www.gesetze-im-internet.de/muschg_2018/_29.html
Teaser	Submit an application for authorization of overtime, night work, continuous work or piecework for pregnant and breastfeeding women.
Volltext	<p>You are prohibited from employing a pregnant or breastfeeding woman in night work or overtime. In addition, you may not employ pregnant or breastfeeding women in the following activities:</p> <ul style="list-style-type: none"> • assembly line work • piecework • Other work in which higher pay can be achieved in return for a higher pace of work <p>You can apply for an exemption from the responsible trade supervisory office in Lower Saxony/LBEG.</p> <p>Night work is defined as work between 10 pm and 6</p>

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Pregnant or breastfeeding women in training are excluded from night work unless participation in the training event is necessary for training purposes.

If you employ a pregnant or breastfeeding woman aged 18 or over, this is considered overtime if she works

- over 8.5 hours a day
- over 90 hours in a double week (including Sundays)
- the contractually agreed weekly working hours exceed the monthly average

works more than the monthly average.

If you employ a pregnant or breastfeeding woman under the age of 18, this is considered overtime if she:

- over 8 hours a day
- over 80 hours in a double week (including Sundays)
- the contractually agreed weekly working hours exceed the monthly average

works more than the monthly average.

If you have other employers, the working hours must be added together.

Note: For civil servants and judges in Lower Saxony, an exception to the ban on night work, overtime, continuous work or piecework is not possible due to the legal situation.

Erforderliche Unterlagen

In the case of overtime and night work:

- Medical certificate
- Declaration of consent from the pregnant or breastfeeding woman. The woman can revoke her declaration at any time.

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In the case of piecework and continuous flow work:

None

Voraussetzungen

- You can only submit the application if you are an employer.
 - The pregnant or breastfeeding woman expressly declares her willingness to do so.
 - A medical certificate must not speak against night work and overtime.
 - Working alone does not pose an irresponsible risk to the pregnant woman.
 - Working alone does not pose an irresponsible risk to the child.
 - The type of work and the pace of work do not pose an irresponsible risk to the pregnant or breastfeeding woman or her child.

Kosten

In Lower Saxony, the General Fee Schedule is the basis for charging fees. The fees are charged on a time and material basis, but at least €100. Please contact your local trade supervisory office/LBEG for information on the processing fees incurred.

The exact costs will be determined after the permit has been issued.

Verfahrensablauf

You can apply for an exemption from the ban on night work in writing, by e-mail or online.

You can apply for an exemption from the ban on overtime, continuous working hours and piecework in writing or by e-mail.

You can apply for authorization in writing:

- To do so, describe your request informally.
- Send your application to the local trade supervisory office/the LBEG by post or email, including the required documents and evidence.
 - If the documents or information required for processing are incomplete, you will be contacted

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	<p>immediately by the processing department.</p> <ul style="list-style-type: none"> • The Trade Supervisory Office/LBEG will check the documents. • If the requirements for approval are not met, you will receive a rejection.
Bearbeitungsdauer	
Frist	The application must be submitted before the pregnant or breastfeeding woman is employed between 10 p.m. and 6 a.m. or before she starts work.
weiterführende Informationen	
Hinweise	This procedure for approving an exception to the ban on overtime and night work does not replace the notification of employment of a pregnant or breastfeeding woman in accordance with the Maternity Protection Act. Please use the forms available for this purpose. An online service for this service is in preparation.
Rechtsbehelf	Contradiction
Kurztext	<ul style="list-style-type: none"> • An exception for the employment of a pregnant or breastfeeding person in <ul style="list-style-type: none"> • night work • overtime • the type and pace of work <p>must be approved by the occupational health and safety office</p> <ul style="list-style-type: none"> • Competent authority in Lower Saxony: State trade supervisory offices / for activities and facilities subject to the Federal Mining Act: State Office for Mining, Energy and Geology (LBEG)
Ansprechpunkt	<p>State Trade Inspectorate of Lower Saxony</p> <p>For activities and facilities subject to the Federal Mining Act: State Office for Mining, Energy and Geology (LBEG)</p>

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Zuständige Stelle	
Formulare	
Ursprungsportal	Ausnahme vom Verbot der Mehrarbeit, der Nachtarbeit, der Akkordarbeit oder der Fließarbeit beantragen, Applying for an exemption from the ban on overtime, night work, piecework or continuous flow work