

99006004017000

Deviation from regulations on rest periods Permission

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/S1000020010000011696/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99006004017000
Leistungsbezeichnung I	Deviation from regulations on rest periods Permission
Leistungsbezeichnung II	Apply for a different rest period
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Rest periods</div> , <div lang="en-x-mtfrom-de">Osh</div> , <div lang="en-x-mtfrom-de">working hours</div> , <div lang="en-x-mtfrom-de">working time extension</div> , <div lang="en-x-mtfrom-de">public service</div> , <div lang="en-x-mtfrom-de">weekly working time</div> , <div lang="en-x-mtfrom-de">Weekly work time</div> , <div lang="en-x-mtfrom-de">employee protection</div>
Leistungstyp	

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Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	13.06.2022
Fachlich freigegeben durch	
Handlungsgrundlage	[§ 15 Working Hours Act (ArbZG)](https://www.gesetze-im-internet.de/arbzg/_15.html)
Teaser	As an employer, you can apply for and have approved rest periods for employees in your company that deviate from the working time regulations.
Volltext	<p>Employees must have an uninterrupted rest period of at least 11 hours after completing their daily working hours. As an employer, you can apply for and have different rest periods approved for employees in your company under certain conditions.</p> <p>The exemption is only permitted twice within 3 weeks and applies to the rest period after work on weekdays as well as after work on Sundays and public holidays.</p> <p>You can also apply for an exemption for longer working hours for seasonal and campaign businesses.</p> <p>You can also apply for the exemption for activities of special public interest and for offshore activities.</p> <p>You are not entitled to an exemption.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Risk assessment (in particular with regard to psychological stress due to the different location of the rest period) • Opinion of the company doctor • Opinion of the works council (if any)

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	<ul style="list-style-type: none"> • Evidence that a flexible deployment of the employees must be necessary either for reasons of public safety and order or public services • Schedules for night shifts, from which in particular the break options are evident • Evidence that a regular weekly shift change is made possible by the deviating rest period <p>The Office for Occupational Safety and Health can request further information and documents if necessary.</p>
Voraussetzungen	Your employees are employees who are on call, on call or on call in the public service of general interest or public safety and order.
Kosten	<ul style="list-style-type: none"> • Cost framework: Management fee EUR 100.00 – 6,000.00 • delivery expenses if applicable <p>The exact costs will be determined after approval and depend on the number of employees.</p>
Verfahrensablauf	<p>You can request rest periods that deviate from the Working Hours Act in writing. To do this, carry out the following steps:</p> <ul style="list-style-type: none"> • You submit an informal application to the responsible authority. • You submit all documents necessary for a decision on your application. • The authority checks the documents you submit for completeness. If necessary, the responsible authority will request further documents from you. • After the official examination has been completed, you will receive a notice of approval or a notice of rejection. • You will receive your notification by email or by post. • You will usually receive the fee notice together with the notice. <p>If you want to apply for an exemption to deviate from</p>

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rest periods online:

- Submit the advertisement and the required documents via the online service.
- The authority checks the documents you submit for completeness. If necessary, the responsible authority will request further documents from you.
- After the official examination has been completed, you will receive a notice of approval or a notice of rejection.
- You will receive your notification by email or by post.
- You will usually receive the fee notice together with the notice.

The responsible authority will make the decision on your application at its best discretion.
 As part of this decision, the authority weighs up the concerns of protecting the safety and health of your employees and the operational interests of the employer.

Bearbeitungsdauer

The processing time depends on the examination effort. It is usually a few weeks after you have submitted the complete documents.

Frist

There is no legal deadline for submitting the application.

weiterführende Informationen
Hinweise

To simplify communication and to speed up the process, you should name a contact person in your company when submitting the application and provide their contact details.

Rechtsbehelf

contradiction

- An objection to the decision can be lodged with the Office for Occupational Safety and Health (the locally responsible authority for occupational safety) within one month of publication.
- An unsuccessful objection procedure is subject to a

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	fee.
Kurztext	<ul style="list-style-type: none"> • A rest period that deviates from the Working Hours Act must be requested • The permit is only granted under certain conditions • The approval is limited
Ansprechpunkt	
Zuständige Stelle	Justice and Consumer Protection Authority
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)