

99006005017000

Deviation from regulations on shift time approval

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/S1000020010000011908/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99006005017000
Leistungsbezeichnung I	Deviation from regulations on shift time approval
Leistungsbezeichnung II	Apply for deviating regulations for shift work
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">Osh</div> , <div lang="en-x-mtfrom-de">shift work</div> , <div lang="en-x-mtfrom-de">employers</div> , <div lang="en-x-mtfrom-de">working hours</div> , <div lang="en-x-mtfrom-de">Special rules on working hours</div> , <div lang="en-x-mtfrom-de">offshore activities</div> , <div lang="en-x-mtfrom-de">Occupational Health and Safety Office</div> , <div lang="en-x-mtfrom-de">supervisory authority</div> , <div lang="en-x-mtfrom-de">works Council</div> , <div lang="en-x-mtfrom-de">Working Hours Act</div> , <div lang="en-x-mtfrom-de"></div>

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	<div>lang="en-x-mtfrom-de">Collective bargaining agreements</div>, <div lang="en-x-mtfrom-de">Employer</div>, <div lang="en-x-mtfrom-de">employee protection</div></div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	15.01.2025
Fachlich freigegen durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • [§ 15 Working Hours Act (ArbZG)](https://www.gesetze-im-internet.de/arbzg/_15.html) • [§ 6 Working Hours Act (ArbZG)](https://www.gesetze-im-internet.de/arbzg/_6.html)
Teaser	Under certain conditions, you as an employer can apply for and have different working hours approved by the Office for Occupational Safety and Health.
Volltext	<p>As an employer, you can apply for a permit for longer daily working hours for employees in your company under certain conditions.</p> <p>The permit is legally intended for:</p> <ul style="list-style-type: none"> • continuous shift operations • Construction and assembly sites • Seasonal and campaign businesses • special activities for the construction, modification or operation of structures, artificial islands or other facilities at sea (offshore activities)

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Maximum limits apply for certain exceptions.

The decision of the responsible occupational safety authority is made at its best discretion.
As part of this decision, a balance is made between the concerns of protecting the safety and health of employees and the operational interests of the employer.

Erforderliche Unterlagen

For all companies:

- Disclosures relating to the activities
- Number of employees for whom a permit is to be issued
- Contact person in the company with contact details
- Risk assessment (particularly with regard to psychological stress caused by longer working hours)
- Statement from the company doctor
- Statement from the works council (if available)

Additionally for continuous shift operations:

- Duty/shift schedules that prove that the extension of working hours will result in additional free shifts
- Schedules for day and night shifts/shifts, which also clearly show the break options

Additionally at construction and assembly sites:

- Information about the type and severity of the work
- Organization of working hours
- Distance between place of work and place of residence
- Duration of rest period at place of residence

Additionally for seasonal and campaign businesses:

- Information about the season or campaign
- Organization of working hours
- Period during which working hours are reduced

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Voraussetzungen	<p>You can only apply for a permit if you are an employer.</p> <p>You can apply for an extension of your employees' daily working hours under the following conditions:</p> <ul style="list-style-type: none"> • For continuous shift operation when additional free shifts are achieved. You grant additional free shifts by providing more consecutive days off for the affected employees. • For construction and assembly sites, particularly relevant if the place of work is far away from the employees' place of residence and you ensure that the employees have a correspondingly longer rest period at their place of residence for the extended working hours on the construction or assembly site. • For your seasonal or campaign operations, if there is an exceptional workload for the specific time of year that you cannot absorb through other organizational measures.
Kosten	<p>The costs can range between 100 and 6,000 EUR. The exact value will be determined after the approval and depends on the number of employees.</p>
Verfahrensablauf	<p>You can submit the application in the online service:</p> <ul style="list-style-type: none"> • You access the online service • You fill out the fields of the online service completely and send it to the responsible authority, including the documents and evidence listed in the application • If the documents or information required for processing are incomplete, the processing department will contact you • The authority will examine your application • You will receive a notice and fee notice from the responsible authority by post • You pay the fee notice <p>You can also submit the application in writing:</p> <ul style="list-style-type: none"> • You fill out the relevant application form completely

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	<ul style="list-style-type: none"> • You send it to the relevant authority, including the documents listed in the application • The authority checks your documents • If necessary, the authority will request further documents or information from you • The authority will examine your application • You will receive a notice and fee notice from the responsible authority by post • You pay the fee notice
Bearbeitungsdauer	Depending on the examination effort (usually a few weeks after submission of the complete documents).
Frist	There is no deadline.
weiterführende Informationen	https://www.gesetze-im-internet.de/arbzg/index.html#BJNR117100994BJNE002305377 https://www.gesetze-im-internet.de/arbzg/index.html#BJNR117100994BJNE002305377
Hinweise	<p>Night and shift work is regulated by the Working Hours Act.</p> <p>If it is necessary for you for operational reasons and the health of employees is not endangered, you can apply for exceptions to be granted. If working hours regularly include a significant amount of work or on-call duty, you can extend the working hours on weekdays beyond 8 hours without compensation if you ensure the health of your employees through special regulations.</p>
Rechtsbehelf	<p>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.</p> <p>An unsuccessful objection procedure is subject to a fee.</p>
Kurztext	<p>The Office for Occupational Safety and Health may approve a different, longer daily working time for:</p> <ul style="list-style-type: none"> • shift work • For construction and assembly sites • For seasonal and campaign operations • For offshore activities • special activities for the construction, modification

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	or operation of buildings, artificial islands
Ansprechpunkt	
Zuständige Stelle	Justice and Consumer Protection Authority
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)