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Approval for dismissal of severely disabled people

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/S1000020010000011913/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99015005001000
Leistungsbezeichnung I	Approval for dismissal of severely disabled people
Leistungsbezeichnung II	Apply for approval to dismiss severely disabled people
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">Integration office</div> , <div lang="en-x-mtfrom-de">People with disabilities</div> , <div lang="en-x-mtfrom-de">employers</div> , <div lang="en-x-mtfrom-de">occupation</div> , <div lang="en-x-mtfrom-de">equality</div> , <div lang="en-x-mtfrom-de">dismissal</div> , <div lang="en-x-mtfrom-de">termination</div> , <div lang="en-x-mtfrom-de">Protection against dismissal</div> , <div lang="en-x-mtfrom-de">severely disabled</div> , <div lang="en-x-mtfrom-de">admissibility</div>

Modul	Sachverhalt
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.05.2022
Fachlich freigegeben durch	
Handlungsgrundlage	<p>§ 168 Social Code, Book Nine (SGB IX) <https://www.gesetze-im-internet.de/sgb_9_2018/_168.html></p> <p>§ 169 Social Code, Book Nine (SGB IX) <https://www.gesetze-im-internet.de/sgb_9_2018/_169.html></p> <p>§ 170 Social Code, Book Nine (SGB IX) <https://www.gesetze-im-internet.de/sgb_9_2018/_170.html></p> <p>§ 171 Social Code, Book Nine (SGB IX) <https://www.gesetze-im-internet.de/sgb_9_2018/_171.html></p> <p>§ 172 Social Code, Book Nine (SGB IX) <https://www.gesetze-im-internet.de/sgb_9_2018/_172.html></p> <p>§ 173 Social Code, Book Nine (SGB IX) <https://www.gesetze-im-internet.de/sgb_9_2018/_173.html></p> <p>§ 174 Social Code, Book Nine (SGB IX) <https://www.gesetze-im-internet.de/sgb_9_2018/_174.html></p> <p>§ 175 Social Code, Book Nine (SGB IX) <https://www.gesetze-im-internet.de/sgb_9_2018/_175.html></p>
Teaser	<p>If you wish to terminate the employment of a severely disabled person or person with an equivalent disability, you must apply for approval from the Integration Office before issuing the notice of termination.</p>

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Volltext	<p>Severely disabled people and people with equivalent status are subject to special protection against dismissal. If you want to dismiss a person who meets these criteria, you need the prior consent of the Integration Office. A dismissal issued without the prior consent of the Integration Office is invalid. A dismissal issued without the involvement of the representative for severely disabled people (if there is one in the company) is also invalid.</p> <p>You need the approval of the Integration Office regardless of the reason for termination (personal, operational or behavioral). The special protection against termination also applies regardless of the size of your company. You need the approval of the Integration Office for all types of termination (ordinary, extraordinary, without notice, termination with change of terms).</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • copy of the employment contract • Copy of the severely disabled person's ID card or the equal treatment certificate from the employment agency <p>The Integration Office may request further information and documents if necessary.</p>
Voraussetzungen	<ul style="list-style-type: none"> • The person you wish to terminate has a recognized severe disability or equal status or has submitted an application for recognition of a severe disability or equal status. • You have a valid reason for termination. • The workplace of the person to be dismissed is in Hamburg.
Kosten	Gebühr: Es fallen keine Kosten an
Verfahrensablauf	<p>You can submit the application online or in writing.</p> <p>If you would like to apply for consent online:</p> <ul style="list-style-type: none"> • You access the online service. • You log in using the Business service account. • Your company data will be automatically transferred from the service account to the online application.

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	<ul style="list-style-type: none"> • You enter all necessary termination data and upload necessary documents and evidence. • The Integration Office will examine your application. • The Integration Office will send you the decision on your application by post. <p>If you would like to request consent in writing:</p> <ul style="list-style-type: none"> • You open the corresponding PDF form and fill it out completely. • You have the application signed by a person authorized to terminate the contract. • You send the application by email or post to the Integration Office. • The Integration Office will examine your application. • The Integration Office will send you the decision on your application by post.
Bearbeitungsdauer	Processing an application for ordinary termination usually takes one month. In the case of applications for extraordinary termination, the Integration Office will make the decision within two weeks of receipt of the application.
Frist	If you intend to terminate your employment for good cause, your application must be received by the Integration Office no later than two weeks after you have become aware of the reason for termination. You must give notice of termination without delay (within 3 working days) after the approval of the Integration Office. You must give notice of termination within one month of the approval of the Integration Office.
weiterführende Informationen	https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/integrationsamt/publikationen https://www.hamburg.de/integrationsamt/veroeffentlichungen/ https://www.bih.de/integrationsaemter/medien-und-publikationen/fachlexikon/detail/kuendigungsschutz https://www.bih.de/integrationsaemter/medien-und-publikationen/fachlexikon-a-z/kuendigungsschutz/
Hinweise	You do not need consent if the severely disabled person or person with equivalent status

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- terminates himself,
- the employment relationship is terminated without notice (for example by a termination agreement or a fixed-term contract),
- has been working for your company for less than 6 months,
- has reached the age of 58 and is entitled to a severance payment or similar benefit under a social plan and the termination is not contested,
- in the event of termination due to weather conditions, if the employer gives a binding promise of re-employment.

Rechtsbehelf

contradiction

Kurztext

Severely disabled people or people with equivalent disabilities are subject to special protection against dismissal.

Anyone who wishes to terminate the employment of a severely disabled person or person with equivalent status requires the consent of the Integration Office.

Any termination without the prior consent of the competent authority is invalid.

If the company has a representative for severely handicapped persons, they must also be involved in the termination process.

Ansprechpunkt
Zuständige Stelle

Authority for Labor, Health, Social Affairs, Family and Integration

Formulare
Ursprungsportal

Hamburg Service, Hamburg Service (Currently this link is only available in german)