

99006054273000

# Ban on overtime, night work, flow work, piece work or similar for a pregnant or breastfeeding woman

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/S1000020010000012099/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99006054273000
Leistungsbezeichnung I	Ban on overtime, night work, flow work, piece work or similar for a pregnant or breastfeeding woman
Leistungsbezeichnung II	Apply for an exemption from the ban on overtime and the ban on night 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">employee protection</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	

Modul	Sachverhalt
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	03.08.2022
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> <li>• [§ 29 Paragraph 1 No. 1 Maternity Protection Act (MuSchG)](<a href="https://www.gesetze-im-internet.de/muschg_2018/_29.html">https://www.gesetze-im-internet.de/muschg_2018/_29.html</a>)</li> <li>• [§ 29 Paragraph 1 No. 8 Maternity Protection Act (MuSchG)](<a href="https://www.gesetze-im-internet.de/muschg_2018/_29.html">https://www.gesetze-im-internet.de/muschg_2018/_29.html</a>)</li> </ul>
Teaser	Exceptions to the ban on overtime, night or piece work for a pregnant or breastfeeding woman must be approved by the responsible authority as an employer.
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"> <li>• Flow work</li> <li>• Piecework</li> <li>• Other work in which higher pay can be achieved in return for a higher work pace</li> </ul> <p>You can request an exception to this ban from the relevant authority.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Medical certificate</li> <li>• Declaration of consent from the pregnant or breastfeeding woman. The woman can revoke her declaration at any time.</li> </ul>
Voraussetzungen	You can apply to the responsible authority for an exception to the ban on night work and overtime work for pregnant or breastfeeding women if there are urgent reasons for a deviation in the individual case and you can prove that, despite the deviation, there is no irresponsible risk to the woman and her child.

## Modul

## Sachverhalt

- You can only submit the application if you are an employer.
- The pregnant or breastfeeding woman expressly agrees to work at night or overtime.
- A medical certificate does not speak against night work or overtime.

## Kosten

Gebühr: Es fallen keine Kosten an

## Verfahrensablauf

You can apply for an exemption from the ban on overtime and night work in writing or electronically.

You can request approval in writing:

- Please describe your request informally.
- Send your application including the required documents and evidence to the responsible authority.
- If the documents or information required for processing are incomplete, you will be contacted by the processing department.
- The responsible authority will check your documents.
- Your application is considered approved if you do not receive a rejection within 6 weeks.
- If the requirements for approval are not met, you will receive a rejection notice.
- The responsible authority can also give you a temporary rejection.
- If you are rejected, you will receive a rejection notice. You will not receive an approval notice.

If you would like to apply for approval online, follow the steps below:

- Access the online service.
- Complete the fields in the online service and send the application to the Occupational Safety and Health Office, including the documents and evidence listed in the application.
- If the documents or information required for processing are incomplete, you will be contacted by the processing department.
- The responsible authority will check your

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	<p>documents.</p> <ul style="list-style-type: none"> <li>• Your application is considered approved if you do not receive a rejection within 6 weeks.</li> <li>• If the requirements for approval are not met, you will receive a rejection notice.</li> <li>• The responsible authority can also give you a temporary rejection.</li> <li>• If you are rejected, you will receive a rejection notice. You will not receive an approval notice.</li> </ul>
Bearbeitungsdauer	The processing time is usually 6 days.
Frist	Deadline Type: Application Deadline Duration (fixed time): 3 days
weiterführende Informationen	
Hinweise	<p>This procedure for approving the exception to the ban on overtime and the ban on night work does not replace the notification under the Maternity Protection Act. To do this, use the appropriate forms available or the online service.</p> <p>Night work is when the aim is to work between 10 p.m. and 6 a.m. Pregnant or breastfeeding women in training are excluded from night work.</p> <p>If you employ a pregnant or breastfeeding woman aged 18 or older, overtime is considered to be overtime if she:</p> <ul style="list-style-type: none"> <li>• over 8.5 hours daily</li> <li>• over 90 hours in a double week (including Sundays)</li> <li>• the contractually agreed weekly working hours exceed the monthly average</li> </ul> <p>is working.</p> <p>If you employ a pregnant or breastfeeding woman under the age of 18, overtime is considered to be overtime if she:</p> <ul style="list-style-type: none"> <li>• over 8 hours a day</li> <li>• over 80 hours in a double week (including Sundays)</li> <li>• the contractually agreed weekly working hours</li> </ul>

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	<p>exceed the monthly average</p> <p>is working.</p> <p>If there are other employers besides you, the working hours must be added together.</p>
Rechtsbehelf	none
Kurztext	<ul style="list-style-type: none"> <li>• Apply for an exception to the ban on overtime and the ban on night work</li> <li>• An exception for the employment of a pregnant or breastfeeding person in               <ul style="list-style-type: none"> <li>• Night work</li> <li>• Overtime</li> <li>• the type and pace of work</li> </ul> </li> </ul> <p>must be approved by the responsible authority</p>
Ansprechpunkt	
Zuständige Stelle	Justice and Consumer Protection Authority
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)