

99006045129000

Protection against dismissal

Heruntergeladen am 27.07.2025

<https://fimportal.de/xzufi-services/8958800/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99006045129000
Leistungsbezeichnung I	Protection against dismissal
Leistungsbezeichnung II	
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	Erklärung (129)
SDG-Informationsbereich	Gesetzlich oder durch Rechtsverordnung geregelte Beschäftigungsbedingungen einschließlich Arbeitsstunden, bezahlter Urlaub, Urlaubsansprüche, Rechte und Pflichten in Bezug auf Überstunden, Gesundheitskontrollen, Beendigung von Verträgen, Kündigung oder Entlassungen)
Lagen Portalverbund	Beendigung von Arbeitsverhältnissen (2030800)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	Maternity Protection Act Federal Parental Allowance and Parental Leave Act Social Security Code IX (Part 3 Chapter 4)
Teaser	
Volltext	Expectant mothers have special protection against dismissal under the Maternity Protection Act (MuSchG). It begins with the notification of her pregnancy to the employer. This means that the prohibition on dismissal only applies if the employer was aware of the pregnancy at the time of dismissal or is informed of it within 2 weeks of receiving the notice of dismissal. Exceeding the deadline is harmless if it is due to a reason for which the woman is not responsible and the notification is made without delay. The protection against dismissal lasts until 4 months after the birth. Special protection against dismissal also exists for persons who have requested parental leave from their employer in accordance with the Federal Parental Allowance and Parental Leave Act (BEEG). In principle, the employer cannot terminate the employment relationship during parental leave. This means that the same protection against dismissal applies during parental leave as for women before and after giving birth. The protection against dismissal begins when the employee registers for parental leave, but no earlier than 8 weeks before it begins. Protection against dismissal ends at the end of parental leave. It also applies to employees who carry out permissible part-time work with the same employer during parental leave and, under certain further conditions, to those who do not take parental leave after the birth of the child but continue to work part-time for their employer to a permissible extent of up to 30 hours per week. Employees may also not be dismissed during

Modul
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care leave in accordance with the Care Leave Act (PflegeZG). The employer may not terminate the employment relationship from the announcement until the end of the absence from work due to care leave.

In special exceptional cases, the employer can submit an application for "exceptional approval of termination" to the regional council in accordance with the MuSchG, BEEG and PflegeZG and be exempted from the prohibition of termination under these laws.

There is also special protection against dismissal for people with disabilities. The special protection against dismissal applies to severely disabled persons and persons with equivalent status. Employers are obliged to obtain the approval of the Integration Office before giving notice of dismissal. The decision is preceded by an examination of whether it is possible to continue to employ the employee in a commercially viable manner, including with the use of advisory, technical and financial assistance.

<https://www.integrationsamt-hessen.de/>

https://verwaltungsportal.hessen.de/leistung?leistung_id=L100001_8958811

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Hinweise
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Modul	Sachverhalt
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Protection against dismissal, Kündigungsschutz