

99006028261000

Notify employment of a pregnant or breastfeeding woman

Heruntergeladen am 26.07.2025

<https://fimportal.de/xzufi-services/6000599-99006028261000/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99006028261000
Leistungsbezeichnung I	Notify employment of a pregnant or breastfeeding woman
Leistungsbezeichnung II	Notify employment of a pregnant or breastfeeding woman
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

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Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • Mutterschutzgesetz (MuSchG) • Gesetz zum Elterngeld und zur Elternzeit (Bundeselterngeld- und Elternzeitgesetz - BEEG) • Strahlenschutzgesetz (StrlSchG) • Fünftes Buch Sozialgesetzbuch (SGB V) • Richtlinie 92/85/EWG des Rates über die Durchführung von Maßnahmen zur Verbesserung der Sicherheit und des Gesundheitsschutzes von schwangeren Arbeitnehmerinnen, Wöchnerinnen und stillenden Arbeitnehmerinnen am Arbeitsplatz • Verordnung über den Mutterschutz für Beamtinnen des Bundes und die Elternzeit für Beamtinnen und Beamte des Bundes (MuSchEltZV) • Sächsische Urlaubs-, Mutterschutz- und Elternzeitverordnung • Allgemeine Verwaltungsvorschrift zum Kündigungsschutz bei Elternzeit- § 18 Abs. 1 Satz 4 des Bundeselterngeld- und Elternzeitgesetzes • Arbeitsstättenverordnung (ArbStättV) • Druckluftverordnung(DrucklVO) • Gefahrstoffverordnung(GefStoffV) • Gentechnik-Sicherheitsverordnung(GenTSV) • Verordnung zur arbeitsmedizinischen Vorsorge(ArbMedVV) • Strahlenschutzverordnung(StrlSchV)
Teaser	Employers and any educational institution (school, university) must notify the competent supervisory authority immediately if a woman has reported that she is pregnant or breastfeeding.
Volltext	<p>Notification of the employment of a pregnant or breastfeeding woman in accordance with Section 27 (1) of the Maternity Protection Act (MuSchG)</p> <p>Employers and any educational institution (school, university) must notify the competent supervisory authority immediately if a woman has reported that</p>

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she is pregnant or breastfeeding.

The competent supervisory authority for the Free State of Saxony is the Landesdirektion Sachsen.

Note: For companies that are subject to mining supervision, the Sächsische Oberbergamt is the competent supervisory authority for the implementation of maternity protection monitoring. This also includes the receipt of the notification in accordance with Section 27 (1) MuSchG.

Erforderliche Unterlagen

none

Voraussetzungen

Expectant and breastfeeding mothers enjoy special protection and consideration at their place of work, training and study. Modern maternity protection combines various objectives:

- It protects the health of the pregnant and breastfeeding woman and her child and enables her to continue working, as far as this is responsible.
- The maternity protection regulations also ensure that the pregnant woman is protected against unauthorised dismissal.
- Maternity protection secures income during the period in which employment is prohibited.
- It counteracts other disadvantages during pregnancy, after childbirth and during the breastfeeding period

The Maternity Protection Act contains special provisions on workplace organisation, protection against dismissal, prohibitions on employment outside the maternity protection periods while continuing to pay wages and financial support in the form of maternity pay and the employer's contribution to maternity pay during the protection periods.

As soon as a woman is certain that she is pregnant, she should inform her employer immediately. Only then can the employer take the necessary protective measures and protect her effectively. In accordance with the Maternity Protection Act, the employer then has, among other things

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	<p>1. a duty to notify the competent supervisory authority</p> <p>2. inform the pregnant woman of the results of the risk assessment and any necessary protective measures associated with it. In doing so, he must fulfil the statutory requirements for the design of working conditions and comply with statutory employment bans.</p> <p>3. offer the pregnant woman a personal discussion about further adjustments to her working conditions to meet her needs during pregnancy.</p> <p>A woman who is breastfeeding should also inform her employer of this. The employer also has a duty to notify the competent supervisory authority (unless the pregnancy has already been reported).</p>
Kosten	none
Verfahrensablauf	<p>Inform the labour protection authority immediately of your employee's pregnancy or breastfeeding period; if necessary, apply for employment between 8 pm and 10 pm.</p> <ul style="list-style-type: none"> • Use the form linked above (-> Forms and other services); follow the instructions for completing the form. • You can send the notification online from the form or print it out and submit the notification in paper form to the supervisory authority (see ->Competent authority). <p>Note: If the supervisory authority has already been informed of an employee's pregnancy, you do not need to submit any further notification if your employee returns to work and is breastfeeding.</p>
Bearbeitungsdauer	
Frist	<ul style="list-style-type: none"> • Notification of pregnancy/breastfeeding period: immediately
weiterführende Informationen	
Hinweise	<p>Proof of pregnancy</p> <p>If the verbal information about the existence of a</p>

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pregnancy is not sufficient for you, you can request a medical certificate or a certificate from a midwife / maternity nurse as proof of pregnancy and the expected date of delivery. However, as an employer, you must bear the costs of this certificate yourself.

Duty of confidentiality

You may not pass on information about your employee's pregnancy and breastfeeding period to third parties without authorisation. If you do so negligently or intentionally, this can be penalised with a fine of up to EUR 5,000. However, it is permissible and necessary to pass this information on to the people in your company who are responsible for implementing and enforcing the protective measures, such as company doctors, occupational health and safety specialists and the pregnant or breastfeeding woman's superiors.

Further obligations

In addition to the obligation to notify the health and safety authority, you have further obligations under the Maternity Protection Act, including

- to inform the pregnant woman of the results of the risk assessment and of any necessary protective measures associated with it
- fulfil the statutory requirements for the design of working conditions and comply with statutory employment bans
- offer the pregnant woman a personal discussion about further adjustments to her working conditions to meet her needs during pregnancy

As soon as the woman has informed you as her employer that she is pregnant or breastfeeding, you must carry out an incident-related risk assessment to check that the hazards previously identified in the incident-free risk assessment are complete and up to date and define and implement the necessary protective measures.

If you have any questions regarding the

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	implementation of maternity protection, please contact the supervisory authority responsible for maternity protection. For the Free State of Saxony, this is the State Directorate of Saxony. Note: For companies that are subject to mining supervision, the Saxon Mining Authority is the supervisory authority responsible for the implementation of maternity protection monitoring.
Rechtsbehelf	non applicable
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	