

99006004017000

Apply for a different rest period

Heruntergeladen am 23.05.2025

<https://fimportal.de/xzufi-services/6022871/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99006004017000
Leistungsbezeichnung I	Apply for a different rest period
Leistungsbezeichnung II	Apply for a different rest period
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

Modul
Sachverhalt
Fachlich freigegeben durch
Handlungsgrundlage

[Arbeitszeitgesetz (ArbZG):](<https://www.gesetze-im-internet.de/arbzg/index.html#BJNR117100994BJNE002305377>)

- § 15 Bewilligung, Ermächtigung

Teaser

In principle, employees have their tried and tested 8-hour day. After the end of the working day, employees are entitled to an uninterrupted rest period of 11 hours. Under certain circumstances, as an employer you can have rest periods for employees in your company that deviate from working time regulations authorised by the competent supervisory authority in your federal state, namely

Volltext

In principle, employees have their tried and tested 8-hour day. After the end of the working day, employees are entitled to an uninterrupted rest period of 11 hours. Under certain circumstances, as an employer you can have rest periods for employees in your company that deviate from working time regulations authorised by the competent supervisory authority in your federal state, namely

- for standby duty, on-call duty and on-call duty in the public sector, if there are special circumstances, for example for winter services (Section 15(1)(3) of the Working Hours Act (ArbZG)), and
- twice within 3 weeks for shift work in order to achieve a regular weekly shift change. This applies both to the rest period after work on weekdays and after work on Sundays and public holidays (Section 15(1)(4) ArbZG).

The exception is at the discretion of the employer. You are not entitled to an exemption authorisation.

Erforderliche Unterlagen

- Risk assessment (in particular with regard to mental stress due to the different position of the rest period)
- Statement from the company doctor
- Statement from the staff or works council (if

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	<p>available)</p> <ul style="list-style-type: none"> • Proof that flexible deployment of employees is necessary either for reasons of public safety and order or for the provision of services of general interest • Schedules for night shifts, showing in particular the opportunities for breaks • Proof that the deviating rest period enables a regular weekly shift change <p>The competent supervisory authority may request further information and documents if necessary.</p>
Voraussetzungen	The employees are employees on standby, on-call duty or on-call duty in the public service of general interest or public safety and order or there is a shift operation.
Kosten	The amount of the fees depends on the municipal fee regulations.
Verfahrensablauf	<p>You can apply for authorisation for deviating rest periods in writing.</p> <ul style="list-style-type: none"> • You submit an informal application. • You send this to the local authority responsible for occupational health and safety, including the necessary documents. • If the documents or information required for processing are incomplete, you will be contacted by the processing department. • The local competent authority will review the application. • Once the official review has been completed, you will receive a notice of approval or a notice of rejection. • The local authority responsible will send you the decision by e-mail or post. • The notification of fees will usually be sent to you later. <p>The decision of the competent labour protection authority is made at its own discretion. This decision involves weighing up the interests of</p>

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	protecting the health and safety of employees against the operational interests of the employer.
Bearbeitungsdauer	The processing time depends on the amount of work involved in the examination. As a rule, you will receive your decision a few weeks after you have submitted all the documents.
Frist	None
weiterführende Informationen	
Hinweise	none
Rechtsbehelf	<ul style="list-style-type: none"> • Opposition • Action • Application for interim relief
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	