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Request different rest period

Heruntergeladen am 26.07.2025

<https://fimportal.de/xzufi-services/213251395/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99006004017000
Leistungsbezeichnung I	Request different rest period
Leistungsbezeichnung II	Request different rest period
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	Bewilligung (017)
SDG-Informationsbereich	Gesetzlich oder durch Rechtsverordnung geregelte Beschäftigungsbedingungen — auch für entsandte Arbeitnehmer — (einschließlich Informationen über Arbeitsstunden, bezahlten Urlaub, Urlaubsansprüche, Rechte und Pflichten bei Überstunden, Gesundheitskontrollen, Beendigung von Verträgen, Kündigung oder Entlassungen)

Modul	Sachverhalt
Lagen Portalverbund	Sonderregelungen der Arbeitszeit (2030700)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	13.07.2023
Fachlich freigegeben durch	Thuringian Ministry of Labor, Social Affairs, Health, Women and Family (TMASGFF)
Handlungsgrundlage	https://www.gesetze-im-internet.de/arbzg/_15.html https://www.gesetze-im-internet.de/arbzg/_15.html
Teaser	Under certain conditions, the Thuringian State Office for Consumer Protection may grant you different rest periods.
Volltext	<p>In the following constellation, you can apply to the Thuringian State Office for Consumer Protection for approval of a different duration and location of the rest period. Employees must have an uninterrupted rest period of at least eleven hours after the end of the daily working time:</p> <p>The Thuringian State Office for Consumer Protection may grant a duration and location of the rest period in the public service that deviates from the regulations on working time) if the employees are employed with work readiness, on-call duty and on-call duty. Public service means the administrations and enterprises of the Federal Government, the Länder, the municipalities and other corporations, institutions and foundations under public law. This includes federal and state ministries, their subordinate authorities, other authorities and the administrations of local authorities. Establishments and enterprises in which the public sector holds a majority interest but which operate in a market economy like any other enterprise (fiscal establishments) are not eligible for exemption.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Precise information on the activity, number of employees for whom a permit is to be issued and design of on-call schedules • contact person with contact details • Risk assessment (in particular also with regard to mental stress due to the deviating location of the rest

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	<p>period)</p> <ul style="list-style-type: none"> • Opinion of the company physician • Statement of the staff council (if available) • Evidence that flexible deployment of employees is necessary either for reasons of public safety and order or for reasons of public interest • Schedules for night shifts, showing in particular the possibilities for breaks
Voraussetzungen	<ul style="list-style-type: none"> • An exceptional approval can only be considered if the employees are employed on standby duty, on-call duty and on-call duty in the public service. The authorization must take into account the special features of a corresponding utilization in public service. These special features are characterized by the fact that flexible deployment of employees must be necessary either for reasons of public safety and order or for reasons of public service. • The granting of a deviating rest period depends on the circumstances of the individual case. The decisive factor is that the health of the employees is not impaired. An exemption can only be granted if, in the course of weighing up the interests of protecting the safety and health of employees and the operational interests of the employer, the latter outweigh the former.
Kosten	none
Verfahrensablauf	<p>Since the exemption can only be granted upon application, you must submit a corresponding application to the Thuringian State Office for Consumer Protection and enclose all documents required for a decision on your application. The documents submitted by you will be checked for completeness and conclusiveness and, if necessary, additional documents will be requested. If you meet all the requirements, approval can be granted. You will then receive a corresponding notice of approval. If you do not meet the requirements, you will receive a rejection notice.</p>
Bearbeitungsdauer	Depending on the examination effort (usually a few weeks after submission of the complete documents)
Frist	There is no statutory deadline for submitting the

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	application. However, you should submit the application in good time, at least four weeks before the start of the requested deviation from the regulations on rest periods. The permits are usually limited in time.
weiterführende Informationen	
Hinweise	To simplify communication and speed up the process, you should name a contact person at your company and provide their contact details when submitting the application.
Rechtsbehelf	<p>Objection</p> <p>Detailed information on how to file an appeal can be found in the decision on your application for a different rest period.</p>
Kurztext	<ul style="list-style-type: none"> • Deviation from regulations on rest period approval • Requesting a different rest period • Employees must have an uninterrupted rest period of at least eleven hours after completing the daily work period: • Application must be made • Permission can only be granted under certain conditions • Permit is limited in time • Responsible: Thuringian State Office for Consumer Protection
Ansprechpunkt	Contact your responsible regional inspectorate of the Thuringian State Office for Consumer Protection (TLV), Department of Occupational Safety and Health.
Zuständige Stelle	
Formulare	<ul style="list-style-type: none"> • Forms: none • Online procedure possible: yes • Written form required: no • Personal appearance required: no
Ursprungsportal	Request different rest period, Abweichende Ruhezeit beantragen