

99006005017000

Deviation from regulations on shift time approval

Heruntergeladen am 26.07.2025

<https://fimportal.de/xzufi-services/S1000020010000011908/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99006005017000
Leistungsbezeichnung I	Deviation from regulations on shift time approval
Leistungsbezeichnung II	Apply for deviating regulations for shift 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">shift work</div> , <div lang="en-x-mtfrom-de">employers</div> , <div lang="en-x-mtfrom-de">working hours</div> , <div lang="en-x-mtfrom-de">Special rules on working hours</div> , <div lang="en-x-mtfrom-de">offshore activities</div> , <div lang="en-x-mtfrom-de">Occupational Health and Safety Office</div> , <div lang="en-x-mtfrom-de">supervisory authority</div> , <div lang="en-x-mtfrom-de">works Council</div> , <div lang="en-x-mtfrom-de">Working Hours Act</div> , <div lang="en-x-mtfrom-de"></div>

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	<div>lang="en-x-mtfrom-de">Collective bargaining agreements</div>, <div lang="en-x-mtfrom-de">Employer</div>, <div lang="en-x-mtfrom-de">employee protection</div></div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	§ 15 Working Hours Act (ArbZG) § 6 Working Hours Act (ArbZG)
Teaser	Under certain conditions, you as an employer can apply for and have different working hours approved by the Office for Occupational Safety and Health.
Volltext	As an employer, you can apply for a permit for longer daily working hours for employees in your company under certain conditions. The permit is legally intended for: continuous shift operations Construction and assembly sites Seasonal and campaign businesses special activities for the construction, modification or operation of structures, artificial islands or other facilities at sea (offshore activities) Maximum limits apply for certain exceptions. The decision of the responsible occupational safety authority is made at its best discretion. As part of this decision, a balance is made between the concerns of protecting the safety and health of employees and the operational interests of the employer.
Erforderliche Unterlagen	For all companies: Disclosures relating to the activities Number of employees for whom a permit is to be issued Contact person in the company with contact

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details Risk assessment (particularly with regard to psychological stress caused by longer working hours) Statement from the company doctor Statement from the works council (if available) Additionally for continuous shift operations: Duty/shift schedules that prove that the extension of working hours will result in additional free shifts Schedules for day and night shifts/shifts, which also clearly show the break options Additionally at construction and assembly sites: Information about the type and severity of the work Organization of working hours Distance between place of work and place of residence Duration of rest period at place of residence Additionally for seasonal and campaign businesses: Information about the season or campaign Organization of working hours Period during which working hours are reduced

Voraussetzungen

You can only apply for a permit if you are an employer. You can apply for an extension of your employees' daily working hours under the following conditions: For continuous shift operation when additional free shifts are achieved. You grant additional free shifts by providing more consecutive days off for the affected employees. For construction and assembly sites, particularly relevant if the place of work is far away from the employees' place of residence and you ensure that the employees have a correspondingly longer rest period at their place of residence for the extended working hours on the construction or assembly site. For your seasonal or campaign operations, if there is an exceptional workload for the specific time of year that you cannot absorb through other organizational measures.

Kosten

The costs can range between 100 and 6,000 EUR. The exact value will be determined after the approval and depends on the number of employees.

Verfahrensablauf

You can submit the application in the online service: You access the online service You fill out the fields of the online service completely and send it to the responsible authority, including the documents and evidence listed in the application If the documents or information required for processing are incomplete, the processing department will contact you The

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	<p>authority will examine your application You will receive a notice and fee notice from the responsible authority by post You pay the fee notice You can also submit the application in writing: You fill out the relevant application form completely You send it to the relevant authority, including the documents listed in the application The authority checks your documents If necessary, the authority will request further documents or information from you The authority will examine your application You will receive a notice and fee notice from the responsible authority by post You pay the fee notice</p>
Bearbeitungsdauer	Depending on the examination effort (usually a few weeks after submission of the complete documents).
Frist	There is no deadline.
weiterführende Informationen	https://www.gesetze-im-internet.de/arbzg/index.html#BJNR117100994BJNE002305377 https://www.gesetze-im-internet.de/arbzg/index.html#BJNR117100994BJNE002305377
Hinweise	<p>Night and shift work is regulated by the Working Hours Act. If it is necessary for you for operational reasons and the health of employees is not endangered, you can apply for exceptions to be granted. If working hours regularly include a significant amount of work or on-call duty, you can extend the working hours on weekdays beyond 8 hours without compensation if you ensure the health of your employees through special regulations.</p>
Rechtsbehelf	<p>An objection to the decision can be lodged with the Office for Occupational Safety and Health (the locally responsible authority for occupational safety) within one month of publication. An unsuccessful objection procedure is subject to a fee.</p>
Kurztext	<p>The Office for Occupational Safety and Health may approve a different, longer daily working time for: shift work For construction and assembly sites For seasonal and campaign operations For offshore activities special activities for the construction, modification or operation of buildings, artificial islands</p>

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Ansprechpunkt	
Zuständige Stelle	Justice and Consumer Protection Authority
Formulare	
Ursprungsportal	Behördenfinder Hamburg, Authority finder Hamburg (Currently this link is only available in german)