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# Approval for dismissal of severely disabled people

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/S1000020010000011913/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99015005001000
Leistungsbezeichnung I	Approval for dismissal of severely disabled people
Leistungsbezeichnung II	Apply for approval to dismiss severely disabled people
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">Integration office</div> , <div lang="en-x-mtfrom-de">People with disabilities</div> , <div lang="en-x-mtfrom-de">employers</div> , <div lang="en-x-mtfrom-de">occupation</div> , <div lang="en-x-mtfrom-de">equality</div> , <div lang="en-x-mtfrom-de">dismissal</div> , <div lang="en-x-mtfrom-de">termination</div> , <div lang="en-x-mtfrom-de">Protection against dismissal</div> , <div lang="en-x-mtfrom-de">severely disabled</div> , <div lang="en-x-mtfrom-de">admissibility</div>

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Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.05.2022
Fachlich freigegen durch	
Handlungsgrundlage	<p>Section 179 paragraph 1 of the Ninth Book of the Social Code (SGB IX)</p> <p><a href="https://www.gesetze-im-internet.de/sgb_9_2018/_179.html">https://www.gesetze-im-internet.de/sgb_9_2018/_179.html</a> Section 154 of the Ninth Book of the Social Code (SGB IX)</p> <p><a href="https://www.gesetze-im-internet.de/sgb_9_2018/_154.html">https://www.gesetze-im-internet.de/sgb_9_2018/_154.html</a> Section 170 of the Ninth Book of the Social Code (SGB IX)</p> <p><a href="https://www.gesetze-im-internet.de/sgb_9_2018/_170.html">https://www.gesetze-im-internet.de/sgb_9_2018/_170.html</a> Section 171 of the Ninth Book of the Social Code (SGB IX)</p> <p><a href="https://www.gesetze-im-internet.de/sgb_9_2018/_171.html">https://www.gesetze-im-internet.de/sgb_9_2018/_171.html</a> Section 168 of the Ninth Book of the Social Code (SGB IX)</p> <p><a href="https://www.gesetze-im-internet.de/sgb_9_2018/_168.html">https://www.gesetze-im-internet.de/sgb_9_2018/_168.html</a> Section 158 of the Ninth Book of the Social Code (SGB IX)</p> <p><a href="https://www.gesetze-im-internet.de/sgb_9_2018/_158.html">https://www.gesetze-im-internet.de/sgb_9_2018/_158.html</a> Section 169 of the Ninth Book of the Social Code (SGB IX)</p> <p><a href="https://www.gesetze-im-internet.de/sgb_9_2018/_169.html">https://www.gesetze-im-internet.de/sgb_9_2018/_169.html</a> Section 174 of the Ninth Book of the Social Code (SGB IX)</p> <p><a href="https://www.gesetze-im-internet.de/sgb_9_2018/_174.html">https://www.gesetze-im-internet.de/sgb_9_2018/_174.html</a> Section 175 of the Ninth Book of the Social Code (SGB IX)</p> <p><a href="https://www.gesetze-im-internet.de/sgb_9_2018/_175.html">https://www.gesetze-im-internet.de/sgb_9_2018/_175.html</a> Section 173 of the Ninth Book of the Social Code (SGB IX)</p>

## Modul

## Sachverhalt

[https://www.gesetze-im-internet.de/sgb\\_9\\_2018/\\_173.html](https://www.gesetze-im-internet.de/sgb_9_2018/_173.html) Section 172 of the Ninth Book of the Social Code (SGB IX)  
[https://www.gesetze-im-internet.de/sgb\\_9\\_2018/\\_172.html](https://www.gesetze-im-internet.de/sgb_9_2018/_172.html)

## Teaser

If you want to give notice to a severely disabled person or a disabled person of equal status, you must apply for a declaration of admissibility or permission to give notice of termination before giving notice of termination.

## Volltext

Severely disabled people or disabled persons of equal status are subject to special protection against dismissal. If you want to terminate a person who meets these criteria, you need the approval of the competent integration office (the competent authority) in advance. Notice of termination given without the prior consent of the Integration Office (the competent authority) is ineffective. This cannot be subsequently approved by the responsible integration office (the competent authority). A notice of termination that you give without the participation of the severely disabled representative (if there is one in the company) is also ineffective. Consent is required regardless of the reason for the intended termination (personal, operational or behavioral). The special protection against dismissal also applies regardless of the size of your company. You need the approval of the integration office (the competent authority) for all types of termination, i.e. for: ordinary terminations, extraordinary (without notice) terminations as well as amendment notices. In addition to the reason for the termination, further interests are taken into account within the framework of the legally prescribed consideration for the approval of the termination. These can include information about the person to be terminated, personal circumstances or the duration of the employment. In addition, the type and severity of the disability and your information are taken into account. You do not need the approval of the integration office (the competent authority) if the severely disabled person or person with equivalent status: himself resigns the employment relationship is terminated without notice (e.g. by a termination

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agreement), works in your company for less than 6 months, has reached the age of 58 and is entitled to a severance payment or similar benefit and the termination is not objected to, in the event of termination due to weather conditions, if the employer has given a binding promise of re-employment, if, at the time of termination, the status as a severely disabled person or person of equal status could not be determined by the responsible authorities

**Erforderliche Unterlagen**

Copy of the employment contract Copy of the severely handicapped ID card or the equal opportunities notice from the Employment Agency The responsible office can request further information and documents if necessary.

**Voraussetzungen**

There is a valid reason for termination. They employ severely disabled people or people with equivalent disabilities who are subject to a special ban on dismissal. You have not yet given notice to the employee.

**Kosten**

Gebühr: Es fallen keine Kosten an

**Verfahrensablauf**

In order to be able to dismiss severely disabled people or disabled persons of equal status, you must submit an application for a declaration of admissibility to the integration office (the competent authority) before the actual dismissal. An online application for the declaration of admissibility is done as follows: You call up the online service You log in using the Business service account Your company data is automatically transferred from the service account to the online application You enter all the necessary termination data For quick processing by the authorities, all necessary documents must be submitted. You can upload evidence for this, Your application will be checked by the Integrationsamt (the competent authority). The integration office (the competent authority) will send you the approval or the decision by post A dismissal of the person can only take effect once the employer has received the written approval notice from the authority If you use the PDF form: Open the relevant PDF form Fill out the application. Send the application by e-mail or by post to the responsible integration office Your application will be

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	checked by the Integrationsamt (the competent authority). The remaining procedural steps correspond to the online procedure using the online service.
Bearbeitungsdauer	Processing usually takes 1 month. In the case of applications for approval of extraordinary termination, the average processing time is 2 weeks.
Frist	Consent to extraordinary (without notice) termination: You can only apply for approval of termination without notice within two weeks of learning about the reason for termination. You must give notice of termination immediately after the integration office has given its approval. Immediately means here within 3 working days. If you miss this deadline, the approval of the integration office is no longer valid. Then you can only have one strive for a new ordinary termination procedure. Consent to ordinary termination: After receiving the approval of the integration office, you must give notice of termination within one month. After that, the consent to termination expires. You can then only apply for a new ordinary termination procedure.
weiterführende Informationen	<a href="https://www.hamburg.de/integrationsamt/veroeffentlichungen/">https://www.hamburg.de/integrationsamt/veroeffentlichungen/</a> <a href="https://www.hamburg.de/integrationsamt/veroeffentlichungen/">https://www.hamburg.de/integrationsamt/veroeffentlichungen/</a> <a href="https://www.bih.de/integrationsaemter/medien-und-publicationen/fachlexikon/detail/kuendigungsschutz">https://www.bih.de/integrationsaemter/medien-und-publicationen/fachlexikon/detail/kuendigungsschutz</a> <a href="https://www.bih.de/integrationsaemter/medien-und-publicationen/fachlexikon-a-z/kuendigungsschutz/">https://www.bih.de/integrationsaemter/medien-und-publicationen/fachlexikon-a-z/kuendigungsschutz/</a>
Hinweise	No
Rechtsbehelf	contradiction
Kurztext	There is special protection against dismissal for severely disabled people or disabled persons of equal status the ban on dismissal can only be lifted by the integration office (by the competent authority) in exceptional cases Employers have the opportunity to obtain a declaration of admissibility Special protection against dismissal applies regardless of the size of the company Basically no consent required: in the case of terminations within the first 6 months of employment,

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	<p>regardless of the length of the probationary period, if the employee resigns or if the employee has reached the age of 58 and is entitled to a severance payment or similar benefit and the intended termination is not objected to in the event of termination due to weather conditions, if the employer has given a binding promise of re-employment, if, at the time of termination, the status as a severely disabled person or as a disabled person of equal status has not been proven</p>
Ansprechpunkt	
Zuständige Stelle	Authority for Labor, Health, Social Affairs, Family and Integration
Formulare	
Ursprungsportal	Behördenfinder Hamburg, Authority finder Hamburg (Currently this link is only available in german)