

Apply for permission to employ a pregnant or breastfeeding woman between 8 p.m. and 10 p.m.

If you wish to employ a pregnant or breastfeeding woman between 8 p.m. and 10 p.m., you must apply for a permit.

Competent Department

- [Gewerbeaufsicht des Landes Bremen | Dienstort Bremen](#)
- [Gewerbeaufsicht des Landes Bremen | Dienstort Bremerhaven](#)

Basic information

The Maternity Protection Act applies to all pregnant and breastfeeding women who are in an employment relationship. A woman within the meaning of the Maternity Protection Act is any person who is pregnant, has given birth or is breastfeeding - regardless of the gender stated in the birth registration.

Pregnant or breastfeeding women may not be employed by their employer between 8 p.m. and 6 a.m. or on Sundays and public holidays.

If you as an employer wish to employ a pregnant or breastfeeding woman between 8 p.m. and 10 p.m., you must submit an application for approval to your local health and safety authority.

Your application is approved if you have not received a rejection after 6 weeks.

The competent authority may refuse or temporarily prohibit you from employing the pregnant or breastfeeding woman during this period. The aim is to ensure that the health of the woman or her child is protected.

If the supervisory authority does not refuse or provisionally prohibit employment, you may employ the woman between 8 pm and 10 pm.

Your application for permission to work between 8 p.m. and 10 p.m. does not replace the notification of employment of a pregnant or breastfeeding woman.

Requirements

- As the applicant, you must be an employer.

- The pregnant or breastfeeding woman has expressly declared her willingness to do so.
- A medical certificate does not speak against working until 10 pm.
- There is no irresponsible risk to the pregnant woman or the child from working alone.
- The working conditions do not permit any other irresponsible hazards.

What documents do I need?

- Medical certificate
 - which confirms that there is nothing to prevent a woman from working until 10 pm.
- Declaration of consent by the pregnant or breastfeeding woman
 - The woman can revoke her declaration at any time.
- Documentation for the assessment of working conditions:
 - Result of a risk assessment
 - If necessary, need for and determination of necessary protective measures
 - If necessary, offer of a discussion with the woman about further adjustments to the working conditions
- Statement on working alone

Procedure

- Describe your request informally or use the application form.
 - You will find this on the right-hand side under "Further information" - "Forms"
- Send the application, together with the required documents and evidence, by post or email to the local trade supervisory authority.
- If the documents or information required for processing are incomplete, you will be notified.
- The trade supervisory authority will check the documents.
- If the requirements are met, the permit will be issued.
- If the requirements for approval are not met, a rejection will be issued.
- The notification of costs will be sent after the procedure has been completed.

Legal bases

- [§ 28 Absatz 1 Mutterschutzgesetz \(MuschG\)](#)
- [Gesundheits-Kostenverordnung \(GesundKostV\)](#)

More information

Legal remedy:

- Appeal
- Further information on how to lodge an objection can be found in the notification of your application for approval

The Maternity Protection Act does not apply to

- self-employed persons
- Board members and managing directors of legal entities or companies (unless they are also predominantly employed)
- housewives

The reason for this is that they are not in an employment relationship.

What deadlines must be paid attention to?

You must submit an application for approval before you employ the pregnant or breastfeeding woman between 8 p.m. and 10 p.m.

How long does it take to process

The processing time is up to 6 weeks.

What are the costs?

The fees are charged on a time and material basis and are based on the Health Costs Ordinance (GesundKostV) No. 602.04.02 with fees ranging from € 155.50 to € 1300.00. You can find the current cost ordinance in the legal bases.