

## Information Sheet on the Maternity Protection Act (MuSchG) – Information for Lecturers and Supervisors

With the revision of the Maternity Protection Act (MuSchG) on January 1, 2018, it also applies to pregnant and breastfeeding students. We kindly ask you, as a lecturer or supervisor, to observe the following:

### 1. *Notification of Pregnancy and Breastfeeding Period*

Female students and employees/professors should explicitly and in writing declare their pregnancy or breastfeeding period to the university; however, **there is no obligation to report it** (§15 (1) MuSchG). At Kaiserslautern University of Applied Sciences, **the designated reporting office for students is the respective examination office**, while for **employees and professors**, it is the **responsible personnel administration officer**.

If a student informs a lecturer or supervisor about her pregnancy or the birth of her child, she must be referred to the respective examination office of the university. In the case of an employee or professor, she must be directed to the personnel administration.

Formular: [Notification of Pregnancy or Birth of a Child Student](#)

Formular: [Notification of Pregnancy or Birth of a Child Employee](#)

### 2. *Information for Lecturers*

**Lecturers** are required to exclude pregnant and breastfeeding students from courses that pose potential risks to them (e.g., laboratory sessions) (§§11, 12 MuSchG).

#### 2.1 Protection Periods

**The protection period begins 6 weeks before childbirth and generally ends 8 weeks after childbirth.** In the case of premature births, multiple births, or births of children with disabilities, the postnatal protection period extends to 12 weeks. If delivery occurs before the estimated due date, the maternity protection period is extended by the time that was not used before childbirth. A miscarriage does not trigger maternity protection regulations; in particular, the postnatal protection period does not apply.

**During these protection periods, students are exempt from attending exams and mandatory courses.** However, students can waive their maternity protection periods before and after childbirth by submitting a written declaration to the respective examination office. This waiver can be revoked in writing at any time by the student (§ 3 (1), (2), and (3) MuSchG).

#### 2.2 Compensation for Disadvantages and Exemption

Pregnant and breastfeeding students are entitled to compensation for disadvantages if they experience disadvantages in their studies or examinations (§ 9 (1) MuSchG).

Affected students have the option to apply for compensation for disadvantages in writing to the respective **examination office**. However, there is no entitlement to a specific compensation measure.

If medical examinations required during pregnancy and parenthood cannot be scheduled outside study hours, lecturers must excuse the student's absences.

Breastfeeding students have the right to take at least two 30-minute breaks or one 60-minute break per day for breastfeeding during the first 12 months after childbirth. If the study time exceeds eight hours per day, they are entitled to either two 45-minute breaks or one 90-minute break (§ 7 (1) and (2) MuSchG).

## **2.3 Courses and Excursions**

Pregnant or breastfeeding students may only participate in mandatory excursions and courses that take place over multiple days, on a Sunday or public holiday, before 6 a.m., or after 8 p.m., with their explicit consent.

The lecturer or excursion leader must ensure that the student submits the Consent to Participate in a Course (Excursion) form before the start of the course.

**Formular:** [Consent to Participate on a Course \(Including Excursion\)](#)

## **3. Information for Supervisors**

Supervisors must design the workplace of pregnant employees in a way that ensures the safety and health of both the mother and the child. In particular, the following work restrictions apply to employees:

- **Limitation of daily working hours to a maximum of 8.5 hours**
- **Prohibition of heavy physical labor**
- **Prohibition of piecework, overtime, night shifts, as well as work on Sundays and public holidays**
- **Prohibition of any activity that, according to a medical certificate, endangers the health of the mother and child if employment continues**

If the employer is unable or not allowed to continue employing the pregnant person in their previous position due to the aforementioned restrictions, the pregnant person may be reassigned to another reasonable workplace.

### **3.1 Protection periods**

**The protection period begins 6 weeks before childbirth and generally ends 8 weeks after childbirth.** In the case of premature births, multiple births, or births of children with disabilities, the postnatal protection period extends to 12 weeks. If delivery occurs before the estimated due date, the maternity protection period is extended by the unused time before childbirth.

A miscarriage does not trigger maternity protection regulations; in particular, the postnatal protection period does not apply.

**During the maternity protection period (six weeks before childbirth), the pregnant person may only continue working if they explicitly declare their willingness to do so.** They are free to revoke this decision at any time.

### **3.2 Protection Against Dismissal**

**During pregnancy and for four months after childbirth, individuals in an existing employment relationship are protected against dismissal.** However, this protection applies only if the employer was aware of the pregnancy or is informed within two weeks of receiving the termination notice.

If parental leave is taken, the protection against dismissal is extended for the duration of the parental leave

### **3.3 Exemption for Medical Examinations**

If medical examinations required during pregnancy and parenthood cannot be scheduled outside of working hours, the employer is obligated to grant the necessary time off. Additionally, lecturers must excuse the absences of students for these medical appointments.

### **3.4 Leave from Work/Service on the Occasion of Childbirth**

On the day of childbirth, the spouse or registered partner (according to the Civil Partnership Act) may be granted one day of paid special leave. This special leave is not legally mandated but is stipulated in collective agreements or civil service regulations and is granted by the university to all civil servants and employees.

### **3.5 Breastfeeding Time**

**Breastfeeding employees** can claim breastfeeding breaks during working hours, as protected by the Maternity Protection Act (MuSchG). These breaks do not need to be made up and are fully paid.

Upon request, during the first 12 months after childbirth, the necessary time for breastfeeding must be granted, with a minimum entitlement of either two 30-minute breaks or one 60-minute break per day (§ 7 (1) MuSchG).

If the continuous working time exceeds eight hours, the breastfeeding employee is entitled to two breastfeeding breaks of at least 45 minutes each. The required time (duration, frequency, and timing) for breastfeeding can only be determined based on the individual circumstances of each case.