

# Information on maternity protection for pregnant and breastfeeding students

Information on maternity protection during studies in accordance with the Maternity Protection Act (MuSchG)  
(in the version published on 23 May 2017 (BGBl. I p. 1228))

**The Maternity Protection Act (MuSchG), with the exception of §§ 17 to 24, also applies to female students insofar as the educational institution stipulates the place, time and course of the educational event or who are completing a mandatory internship as part of their university education (§ 1 Para. 2 No. 8 MuSchG). The law thus protects the health of the student and her child during pregnancy, after the birth and during the breastfeeding period (12 months after the birth). It also ensures that the woman can continue her studies during this time without jeopardising her health or that of her child and counteracts discrimination during this time (e.g. due to missed examinations) (§ 9 para. 1 sentence 4 MuSchG).**

## Contact and information

Maternity leave must always be granted without application. The prerequisite for this is the notification of the pregnancy (or birth/breastfeeding period) to Landshut University of Applied Sciences (see form "Pregnancy registration form"). However, there is no legal obligation to notify. However, students are strongly recommended to report a pregnancy. Without such notification, Landshut University of Applied Sciences cannot grant students their rights under the Maternity Protection Act and cannot grant them any special regulations in this case due to lack of knowledge.

Please send notification of an existing pregnancy, together with the medically calculated date of delivery (maternity pass), to

Dr Theresa Leeb, Student Service Centre (Room N0 17), who will inform you about your rights under the Maternity Protection Act.

## Obligation of the university to notify the supervisory authority

Landshut University of Applied Sciences is obliged to notify the trade supervisory office of a student's pregnancy. Such notification is also necessary in cases where a pregnant or breastfeeding student is present at events until 10 pm or on Sundays and public holidays (§ 27 para. 1 MuSchG).

## Specifically, this means for you

- **During your entire pregnancy and breastfeeding period,** you do not have to take part in any study activities (e.g. courses) between 8 p.m. and 6 a.m. or on Sundays and public holidays. However, it is possible for you to participate,
  - if you expressly declare this,
  - participation is required for training purposes at this time and
  - in particular, there is no irresponsible risk to you or your child from working alone.

However, participation in study activities after 10 p.m. is excluded by law.

Please use the appropriate form for your declaration. The declaration can be cancelled at any time with effect for the future.

Furthermore, a pregnant/breastfeeding student must be granted an uninterrupted rest period of at least 11 hours after the end of the daily working hours.

The handling of hazardous substances or hazardous activities is prohibited. The risk assessment is used to determine a hazard.

- **During the statutory maternity protection periods**, i.e. 6 weeks before the birth and 8 weeks after the birth, there is a relative ban on studying and examinations. This means that you have the right not to take examinations and are exempt, for example, from courses with compulsory attendance, excursions and laboratory and work placement activities. If you do not have your child on the expected date of delivery, the protection period before the birth will be shortened or extended accordingly. In the case of premature births and multiple births and if the newborn is disabled, the protection period is extended to 12 weeks after the birth (§ 3 MuSchG). Please note, however, that early communication will help you and your faculty to create the framework conditions for a smooth process in good time.

However, the maternity protection period is not binding, i.e. you can decide for yourself whether you want to continue your studies during this period or take advantage of the protection periods. If you wish to take examinations during the maternity protection period, please submit a waiver using the appropriate form. This can be cancelled at any time with effect for the future.

- You can take **time off work for examinations** during pregnancy and maternity. You are also entitled to **time off for breastfeeding** (at least 30 minutes twice a day or one hour once a day in the first 12 months after the birth).

### **Risk assessment of your study programme**

The Maternity Protection Act requires the university to carry out a risk assessment for the activities of expectant and breastfeeding mothers. This determines whether there are any health risks and whether protective measures or compensation for disadvantages are required (§§ 10 ff. MuSchG).

Please inform the respective internship/seminar supervisor about your pregnancy if risks cannot be ruled out during an event (internship, workshop and laboratory activities, excursions, etc.). Please also note that the risk assessment for your degree programme must be reassessed every semester during the entire pregnancy and breastfeeding period and stay in contact with the Student Service Centre for this purpose.

### **Leave of absence**

Pregnant students and students with children can apply for a leave of absence from their studies. The special feature here is that you can attend courses and take examinations during the leave of absence due to maternity or parental leave - in contrast to leave of absence for other reasons.

Further information on this can be found at <https://www.haw-landshut.de/organisation/zentrale-services/family-in-the-university>.

### **Please report your pregnancy as follows:**

Fill in the form "Registration form for expectant/breastfeeding mothers" as soon as you become aware of your pregnancy or as soon as if you are breastfeeding and hand it in at the Student Service Centre together with proof of pregnancy.

1. We also recommend a counselling interview at the Student Service Centre of Landshut University of Applied Sciences
2. and ask for your assistance with the risk assessment and the identification of any protective measures.

### **Contact person for maternity protection for female students**

Dr Theresa Leeb  
Student Service Centre Room N0 17  
Phone: +49 (0) 871 506 797  
[theresa.leeб@haw-landshut.de](mailto:theresa.leeب@haw-landshut.de)

**All relevant documents, information on "Studying with a child", the Maternity Protection Act and other useful links can be found at**

<https://www.haw-landshut.de/zentrale-anlaufstellen/studierenden-service-centre/services/maternity-protection>