

Maternity Protection Leaflet for Expectant and Nursing Students

The German Maternity Protection Act serves, on the one hand, to protect the health of expectant or nursing women and their (unborn) children and, on the other hand, to empower women to decide at their own discretion whether they work or not.

Effective 1 January 2018, pursuant to Sec. 1 (2) No. 8 MuSchG, the Act also applies to students to the extent that the training entity mandates the location, time, and schedule of courses or to those who complete a mandatory internship in the course of their university studies.

1) Notification of pregnancy (Sec. 15 (1) MuSchG)

An expectant student shall notify the university about her pregnancy and the estimated due date. The form "[Notification of Pregnancy](#)" is available for this purpose. A nursing student shall notify the university as soon as possible about the fact that she is a nursing mother.

The first point of contact for submitting the form is the Examination Office of Worms University of Applied Sciences, Building M Room 7, tel.: 06241 509-216 or -180, email: examination-office@hs-worms.de.

Under no circumstances is the student required to submit such notification. However, the university can only take necessary safety and protection measures if it knows at an early stage about the pregnancy or any nursing period.

Data privacy is ensured at all times.

Hence, the student's notification is the prerequisite for exercising her rights under the Act and being entitled to special accommodations under the examination laws (cf. under 3).

2) Protection periods (Sec. 3 (1) and (2) MuSchG)

Maternity leave generally starts six weeks before the delivery date and ends eight weeks after giving birth. In case of premature birth, multiple births, and if - prior to the expiration of eight weeks of giving birth - the child is medically diagnosed with a disability, the maternity protection period is extended to twelve weeks.

In case of early delivery, the protection period after delivery is extended by the period by which the protection period was shortened as a result of the early delivery. Therefore it is essential to subsequently submit a copy of the birth certificate to the Examination Office without any delay. If the actual delivery date deviates from the estimated due date, the protection periods must be recalculated.

3) Special provisions under the examination laws (Sec. 3 (3) MuSchG)

If the student reported her pregnancy and the due date to the university, she is not required to attend classes or participate in examinations during the protection periods specified under 2). The student is not considered in any service registration with the Examination Office for those periods. However, she may waive any protection periods when and if she expressly files such waiver with the university. In that case, the student signs a "[Waiver](#)", stating that she waives her right of maternity leave to complete her examinations. This accommodates the student's desire to complete her degree programme without any delay.

The student may revoke her waiver (of maternity protection) at any time effective for the future. Such revocation shall not become effective retroactively, in particular in examination situations. If the student drops out of the examination for health reasons (or reasons relating

to maternity leave), it shall be determined whether and to which extent such medical reasons are taken into account under the applicable examination law regulations of the university.

If the situation changes during the pregnancy, the protection periods shall not apply, so that the student is (retroactively) enrolled by the Examination Office.

4) Leave of Absence (Sec. 16 of the Enrolment Regulation of Worms University of Applied Sciences)

A female student may request a leave of absence for the following semester of the degree programme during the re-enrolment period due to maternity leave before / after giving birth to her child or due to pregnancy / raising a child upon written request by using the form "Leave of Absence Request" (to be submitted at Student Services).

A leave of absence is granted for a period of one semester. It is typically permitted for a maximum of two consecutive semesters; in case of maternity leave before giving birth and maternity leave after giving birth, the maximum period legally permissible for a leave of absence is six semesters. During the leave of absence, the student is exempted from courses and shall not participate in any exams. Please note that the currently applicable semester tuition is payable also during the semester on leave.

5) Protection of the health of expectant and nursing mothers (Secs. 4, 5, and 6 MuSchG)

An expectant or nursing mother shall

- not work more than eight and a half hours per day or 90 hours in a two-week period;
- not work between 8 p.m. and 6 a.m.;
- only work until 10 p.m. when and if she expressly agrees, participation at such time is required for training purposes, and in particular if irresponsible endangerment as a result of working alone is prevented;
- not work on Sundays and national holidays unless she expressly agrees, participation at such time is required for training purposes, and in particular if irresponsible endangerment as a result of working alone is prevented. Work on Sundays and national holidays must be compensated by granting an additional rest day.

Consent may be revoked at any time effective for the future.

Uninterrupted rest periods of no less than 11 hours must be between two work periods.

6) Excused absence for exams / nursing (Sec. 7 MuSchG)

Students shall be granted leave for examinations required or necessary during the pregnancy and after giving birth.

During the first 12 weeks after giving birth, nursing students may leave class at least twice a day for half an hour or once a day for one hour to nurse their infant. For this purpose, Worms University of Applied Sciences provides the nursing mothers' and Parent-Child Nursery Room.