

## iGlobal Law 2024 Annual Alert : Germany

Legal Change	Effective Date	Action required
<p><b>Whistleblower Protection</b></p> <p>Under the new German Whistleblower Protection Act (<i>Hinweisgeberschutzgesetz</i>), employers in Germany, by December 17<sup>th</sup> 2023 at the latest, are generally obliged to establish internal reporting channels through which employees can report violations of German or EU law, including, for example, financial regulations, environmental laws, data protection laws or product safety requirements. The law also provides for specific protections for employees who do report such violations.</p> <p>Violations of any key requirements of the new law are punishable as an administrative offence with fines of up to EUR 50,000 depending on the respective violation.</p>	December 17 <sup>th</sup> 2023	Establish internal reporting channels in line with data protection laws, including GDPR. In companies with a works council, the works council has to be involved in the process of designing and implementing the reporting scheme.
<p><b>Human Rights and Supply Chain Due Diligence</b></p> <p>The German Supply Chain Due Diligence Act (<i>Lieferkettensorgfaltsgesetz</i>) requires companies in Germany to respect human rights by implementing defined due diligence obligations with respect to business partners and suppliers worldwide. Companies must identify, assess and prioritise potential risks in their supply chains and take reasonable actions to prevent human rights violations and damages to the environment.</p> <p>Currently, the law only applies to companies with 3,000 or more employees. With effect from January 1<sup>st</sup> 2024, the rules will now apply to companies with a headcount of at least 1,000 employees.</p>	January 1 <sup>st</sup> 2024	Affected companies to implement due diligence processes along their entire supply chain.
<p><b>Recording Working Hours proposal</b></p> <p>Under this proposal, employers are obliged to record the start, end and duration of an employee's daily working hours. The recording must be made on the day the work is performed. The employee's working hours shall generally be recorded electronically. The obligation to do so can be delegated to the employee or the employee's manager, but the employing entity shall remain ultimately responsible.</p>	The bill is still under discussion. The new law could be passed by parliament in the first half of 2024.	In preparation for the new law, employers should already discuss with their IT or external service providers how their employees' individual working hours could be recorded electronically.