

22. December 2021

COMMENCEMENT OF THE LIMITATION PERIOD FOR CLAIMS BY THE EMPLOYER BASED ON A BREACH OF COMPETITION RULES PURSUANT TO § 60 PARA. 1 GER- MAN COMMERCIAL CODE

IN ITS RULING OF 24 FEBRUARY 2021 - FILE NO. 10 AZR 8/19 - THE 10TH SENATE OF THE FEDERAL LABOR COURT (*BUNDE-SARBEITSGERICHT* - BAG) DECIDED THAT THE LIMITATION PERIOD UNDER § 61 PARA. 2 GERMAN COMMERCIAL CODE (*HAN-DELSGESETZBUCH* - HGB) IN THE CASE OF ANTI-COMPETITIVE CONDUCT BY AN EMPLOYEE ALREADY BEGINS WITH AN EM-PLOYER'S KNOWLEDGE OR GROSSLY NEGLIGENT LACK OF KNOWLEDGE OF AN EMPLOYEE'S INTERNET PRESENCE. THE DE-CISION POSES NEW CHALLENGES FOR EMPLOYERS. [\(more...\)](#)