

Abstract

Personality and personal data protection in employment law relationships

This dissertation deals with the topic of personality and personal data protection in employment law relationships. This is a very topical subject, as the development of information technology has made it easier for employers to infringe on their employees' privacy. Today, the widespread use of information technology and the related process automation in the workplace makes it easy to monitor employee performance, to track when an employee takes a break and how long it lasts, to monitor how the employee cooperates with other employees, and how the employee uses entrusted resources. Apart from that, a new regulation on personal data protection has also recently contributed to the popularity of the topic: the adoption of the General Data Protection Regulation (GDPR). Although this regulation does not bring many new legal rules compared to the previous legislation, it severely and significantly toughens the penalties for violating the rules.

This dissertation is divided into 4 parts. The first part deals with the legal framework and legal sources of the analysed topic and further describes the general basis for examining the personality protection, including privacy protection, and the protection of personal data, which is essential for the interpretation given in other parts. The second part deals with the personality and privacy protection of employees. Attention is paid to the specifics of the relationship between employees and employers, relevant case law, protection of employees before and after their employment relationship, and the possibility of controlling and monitoring employees, both inside and outside the workplace. The third part deals with specific issues arising from the regulation of personal data protection. In particular, the legal basis for processing employees' personal data, related employees' rights, possibilities of individual data processing and employers' adherence to other principles set by the GDPR are examined. The fourth part contains an analysis of selected practical issues, which are mainly the monitoring tools most frequently used by employers in practice, such as cameras, GPS tracking, internet usage monitoring etc. Selected foreign legislations are also analysed and *de lege ferenda* considerations are provided at the end.

Key words: GDPR, personality protection, personal data, employees