

# **The Issue of Employees' Expression on Social Media**

## **Abstract**

The aim of the diploma thesis was to describe the involvement of employees in social media according to the labour legislation. The goal is to define the extent to which positive law already reflects the trend of social networks in the field of labour relations and to establish limits of the employees' private posts. These limits arise from the labor law regulation, as well as significant cases dealt with by Czech and European courts.

The work is divided into four parts. The first part defines the fundamental concepts, on the basis of which the work later analyzes the nature of employees' expressions through the medium and the resulting correctives provided for by the legislation. The second and third parts of the thesis describe the law in the field of employee expression and involvement in social networks, both at international and national level. The emphasis is placed on the courts' rulings in the significant cases, which extensively complete this issue. The fourth part of the thesis is devoted to current topics that employers face in the field of involvement of their employees on social networks in their leisure time. The chapter presents model situations in which employees' contributions to social medias concerning the employer are undesirable, as well as the tools available to employers to limit such manifestations.

The conclusion of the thesis shows that the legislation puts down only a basic framework in terms of the employees' involvement in social networks. Furthermore, an exhaustive regulation seems to be implausible. However, employers are given the opportunity to apply these general correctives to current needs related to the posts of their employees on the internet, as well as sufficient tools for the management of such behaviour. It cannot be excluded that the boundaries of online performance of individuals will further be made more concrete by the court's decision-making practice, which can respond to these challenges more flexibly than the legislator, while providing sufficient guidance on this issue.

**Keywords:** labor law, social media, social network, freedom of speech