

Abstract

This thesis deals with personal data protection, it focuses on labour law relationships, in particular. The aim of the thesis is to analyze regulation of personal data protection; also, the paper elaborates on difficulties that could be caused by the processing of personal data of employee on the part of employer.

The first section of the thesis discusses general basis which represents a solution to concrete cases that are mentioned in the second part. The first two chapters examine sources of the regulation of personal data protection on both levels – on a statutory and constitutional level and also on an international and the European Union level.

The third chapter deals with the Office for Personal Data Protection and with its scope of activity, in particular. The following three chapters specify particular definitions and introduce legal regulation of the rights of a data subject on the one hand, and the obligations of a controller or a processor on the other hand. In the general part, a few examples of the processing of personal data by an employer can be found. Those examples are mentioned there to clarify unclear concepts and their definitions.

The aim of the last chapter is to capture a range of possible examples of the processing of personal data, which can take place and actually does take place in labour law practice, in general. Secondly, the last chapter explains three selected problematic cases.

The first one is an answer to the question of legitimacy of certain information that are required by an employer before the formation of an employment relationship with a candidate. Besides, the corresponding legislation is discussed, too. The second and one of the main topics of the special part is the legislation of the monitoring an employee, using the Internet, in particular.

The last part of the thesis is dedicated to a work reference written by an employer upon a termination of an employment, primarily to its permissible content, time – during which it is possible to ask for and infliction an obligation to modify adequately the employment reference. The legislation of those interventions into the protection of privacy, which is not always unequivocal, is complemented by the case law.