

Abstract

The selection of job seekers

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This diploma thesis deals with the topic of selection of job seekers from the point of view of personnel management as well as from the point of view of the related legislation. From the point of view of the legislation, the thesis focuses not only on the general regulation of relations before the relationships under the labour law, but also on the two most essential legal aspects of selection of job seekers that are the right to equality and non-discrimination and the protection of personal data.

The main goal of this thesis is to present complex view on the topic of selection of job seekers in the context of personnel management principles and values and the legislation thereof. Another goal is to point out the shortcomings of current legislation and introduce the proposals for its elimination.

The thesis uses the method of description and analysis and elaborates on the application of legal norms in the personnel management praxis. On the basis of such methods the author evaluates effective legislation, points out the most problematic provisions and suggests their alternations *de lege ferenda*. Formally, the thesis is divided into five main chapters.

The aim of the first chapter is to set the process of selection of job seekers into the context of other personnel management activities, which are directed to filling the job vacancy. It describes the activities realized before hiring new employee into the company, i.e. the acquisition and selection of job seekers.

The second chapter describes and evaluates the general regulatory framework of selection of job seekers in details. This chapter is divided into three subdivisions focusing on international, European union and national regulations.

The third chapter introduces the selection of job seekers from the personnel management point of view and applies on it the specific legal provisions and regulations. It mainly focuses on the objectives, processes, criteria and methods of the selection of job seekers.

Following fourth chapter deals with the right to equality and the principle of non-discrimination. Firstly, it analyses the European union and national legislation thereof with focus on the mutual relations of various national statutes. Secondly, such non-discriminatory norms are applied directly on the selection of job seekers itself. In the last subdivision of chapter four the thesis describes legal and non-legal means of protection that might be used by the job seekers shall they feel discriminated by the process of selection of job seekers itself or by its results.

The last chapter deals with the personal data protection during the selection of job seekers. At first it describes the historical evolution of personal data protection in the Czech Republic. After that it elaborates on the effective laws introduced in the new regulation of the European Parliament and the

Council 2016/679 from the 27th of April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (GDPR). It mainly focuses on the way, in which the GDPR and therein regulated principles of personal data protection influence the selection of job seekers, and on that, which rights and obligations arise from it for the job seekers and the employers.