

## **Abstract**

### **Personal data protection before and during the establishment of the employment relationship**

The diploma thesis is devoted to personal data protection before and during the establishment of the employment relationship. The objective of this thesis is to outline the personal data protection in the context of the employment relationship establishment, to give a comprehensive overview of its legislation in particular, describe the basic terms and principles relating to this subject matter and specify the most important rights and obligations regarding both stages of the employment relationship establishment. The basis for the thesis is primarily the legislation of the General Data Protection Regulation and Personal Data Processing Act 2019 (No. 110/2019 Coll.).

The diploma thesis is divided into four chapters. The historical events with a significant influence on the personal data protection development are described in the first chapter. This chapter also explains the concept of a right to privacy and separation of the right to protection of personal data from it. The second chapter deals with personal data protection legislation on the international level, as well as EU level and national level. The third chapter defines selected fundamental terms relating to personal data protection, particularly terms such as personal data, special categories of personal data, data subject, processing of personal data, data controller and data processor. The fourth chapter is at first dedicated to the general knowledge of the legal relationships between employers and employees, furthermore to the policies relating to the processing of personal data representing basic principles that govern every personal data processing, and to the legal titles for the processing of personal data in a defined topic, that are the requirements for its lawful processing. The processing of personal data of job applicants is discussed in detail in the next part of this chapter, from the beginning of the selection process to the moment when the employer chooses the right candidate and informs the unsuccessful applicants about rejection, then followed by the personal data processing during the establishment of an employment relationship, therefore from the moment the employer chooses the right candidate until the moment, when the employment contract between those two parties is concluded. The final part of this chapter is devoted to data subject rights balancing the weaker position of the data subject in relation to the data controller.