

Abstract

This thesis deals with the issue of privacy in the workplace.

Employees expect to have some privacy at work, even when they are using the employer's equipment. On the other hand, employers need basic information about their employees and they have the right to know that work is being done properly and efficiently. Finding the balance between the interests of both sides is quite complicated and the disputes regarding privacy infringement in the workplace are often decided by highest courts.

In concrete, this thesis deals with the processing of personal data in the employment context and with the surveillance of employees. The aim of this thesis is to provide a comprehensive overview of this issue and assess the current level of protection of privacy of employees in Czech Republic.

The thesis is composed of nine chapters. The first introductory part of this thesis (chapters 2 - 4) describes the fundamental human right to privacy and personal data protection in general. Chapter Two characterises the right to privacy and chapter Three gives an overview of relevant legal sources. Chapter Four presents basic terms and principles of the processing of personal data under the Act No. 101/2000 Coll., on the Protection of Personal Data. The following chapter looks at collection of personal data before the beginning and during the employment relationship. This chapter also includes transfer of employees data to third countries. Chapter Six analyzes possibilities of employee monitoring in Czech Republic under the Act. No. 262/2006 Coll, Labour Code, and provides an outline of relevant case law. Chapter Seven is subdivided into nine parts and presents often discussed cases of privacy breaches in the workplace, like CCTV surveillance, email monitoring or biometric identification. Chapter Eight analyses the legal ways to enforce the right to privacy and their advantages and disadvantages. Conclusions are drawn in Chapter Nine.