

CCTV systems in the workplace

Abstract

This thesis focuses on the topic of CCTV systems in the workplace, both from the perspective of Czech labour laws and the European General Data Protection Regulation. The thesis focuses on the analysis of individual legal sources and presents an overview of the legal obligations and criteria that the employer is obliged to fulfil in order to install and use CCTV systems in the workplace.

The thesis is divided into four thematic parts. In the first part of the thesis, space is devoted to the definition of the term "CCTV system" and the division of CCTV systems into types according to criteria relevant to the legal regulation of personal data protection. Subsequently, with emphasis on the development of the opinion of the Personal Data Protection Office, it is examined whether the defined types of CCTV systems fall within the scope of the GDPR. This section also defines the concept of 'dummy' cameras.

The second part of the thesis focuses on the interpretation of Section 316 of the Labour Code, which regulates the possibility of employee surveillance in the workplace. The focus of this part of the thesis is a legal analysis of legal terms in the examined provisions, in particular with the help of specialized literature, opinions of the Personal Data Protection Office and decisions of the Labour Inspectorate.

The third part of the thesis focuses on dummy cameras in the workplace and the possible impact they may have on the rights and freedoms of employees. This part presents a groundbreaking decision of the Labour Inspectorate and outlines the potential problems that an employer may encounter if they choose to install dummy cameras.

The fourth part of the thesis discusses the General Data Protection Regulation and its application to CCTVs. In this part, the key terms and principles of the GDPR are laid out with the help of guidelines and opinions of European advisory bodies, and the thesis also looks at the criteria and obligations that arise from it for the operator of a CCTV system in the workplace.

Keywords: CCTV systems, employee surveillance, personal data protection