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„Privacy of the parties to the employment relationship as a protected good”

## Summary

The dissertation focuses on discussing the concept of employee and employer privacy, as well as defining their scope and setting the boundaries of protection.

Privacy is one of the basic goods protected of both parties of the employment relationship, in particular due to changes in socio-economic conditions dictated by the dynamic development of new technologies used in the area of employment. Along with these changes, new threats for both parties of the employment relationship and hitherto unknown areas of interference in the privacy of both the employee and the employer are observed. In order to present these perspectives and assess whether the existing measures to protect the privacy of both parties of the employment relationship are sufficient, an analysis was carried out covering both employment, and civil, administrative and criminal law standards. It should be emphasized that the protection of the privacy of the parties of the employment relationship is normatively reflected in legal acts of various branches of law. The dissertation focused in particular on the perspective of the protection of personal rights and personal data, as its fundamental basis. The examined matter was also discussed taking into account the issue of employee acts of unfair competition.

The purpose of this dissertation is to analyze the complex issue of protecting the privacy of both parties of the employment relationship and to present legal regulations determining the scope of protected privacy, permissible interference in this sphere by the other party of the employment relationship and mechanisms for pursuing claims related to encroachment on the private sphere of both the employee and the employer.

In order to achieve the indicated goal, the doctrinal and juridical views relating to the concept of privacy in general and strictly related to employment relationships were presented, also in historical terms showing the development of the concept of privacy protection. The analysis also concerned the impact of International, European and Polish regulations on the scope of privacy of the parties of the employment relationship, as well as on the scope of admissible interference in this good by the other party, taking into account the employee's and employer's protection measures.

The implementation of the set research objectives was the basis for evaluating the regulations in force in Polish law and formulating *de lege ferenda* conclusions. The analysis confirmed the thesis adopted for the dissertation about the primacy of the protection of the employee's privacy over the protection of the employer's privacy in the current legal status and significantly broader guarantees of protection of this value in relation to the employee.

The scope of employee privacy protection is wide and includes, above all, the protection of private, family and personal life, intimacy, inviolability of the apartment and house, secret of correspondence, personal data, secrets of the individual and the professional sphere, in the scope of information for which the employee has a justified will not to disclose it to third parties. The concept of employer's privacy includes, in particular, the secret of correspondence, inviolability of premises and secrets of the employer, such as trade secrets, business secrets, *know-how* and other information, the disclosure of which could expose the employer to damage. Each party is entitled to information autonomy.