Ref. No.

Employer: **Palacký University Olomouc, Křížkovského 8, 779 00 Olomouc, Czech Republic, ID No.: 61989592**

UP constituent part: Faculty of Arts

Represented by: prof. PhDr. Zdeněk Pechal, CSc., dean of Faculty of Arts Palacký University Olomouc

Employee: born on

 *(surname, first name, academic degree)*

**Personal Data Processing: Employer’s Notice and Employee’s Consent to Process Certain Categories of Personal Data**

Palacký University Olomouc as the Employer (hereinafter the “Employer”) collects employees’ personal data, special categories of personal data and data related to criminal convictions and offences (special categories of personal data and data related to criminal convictions and offences are collectively referred to as “**sensitive data**”).

Under Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation - hereinafter “GDPR”) the Employer provides the Employee with this personal data processing notice (hereinafter “Notice”); Article II hereof includes the Employee’s consent to collect and process sensitive data.

**Article I**

**Employer’s Notice**

1. The Employer as the controller processes the Employee’s personal data provided in the personal profile form and acquired or arising in relation to the Employee’s employment with the Employer. The Employer processes sensitive data to the extent defined in Paragraph 2 hereof.

2. The Employer processes the following categories of **sensitive data**:

a) data concerning **the** **Employee’s health**; such data are processed to the extent necessary to perform the Employer’s or the Employee’s obligations and exercise the Employer’s or the Employee’s rights related to employment and social security law (e.g. keeping statutory records, records related to compensation for industrial injuries or occupational diseases, or records related to the fitness of the Employee to perform the job, data relevant for granting tax credits);

b) data concerning **criminal convictions and pending criminal proceedings** if such data relate to the Employee’s job or job applicant’s job, under the conditions defined by law;

c) data concerning **trade union membership,** if the Employee is a member of a trade union, for the purposes of making deductions of membership fees and preparing overviews of such deductions which are submitted by the Employer to the trade union, provided that the Employee agrees in writing that the deductions be made from the salary.

3. The personal data **are collected in order to** perform the duties and exercise the rights related to the employment which is to be entered into or which has already been entered into, or as the case may be, to perform the duties and exercise the rights of the Employer (even after the termination of employment, e.g. to issue a report on an employee).

4. **Sensitive data under Paragraph 2(a)** hereof are processed by the Employer in compliance with Article 6(1)(c) of the GDPR, i.e. processing is necessary for compliance with a legal obligation the Employer is subject to; such legal obligations include, without limitation, compliance with the Employer’s rights and obligations related to employment law and employment policy under applicable legislation, payment of sickness, pension or accident insurance under applicable legislation, providing healthcare, protecting public health, and medical insurance under applicable legislation, and securing and enforcing legal claims.

5. **Sensitive data under Paragraph 2(b)** hereof are processed by the Employer only in the exercise of the right of the Employer under Section 316(4)(h) of Act No. 262/2006 Sb., Labour Code, as amended, in order to ensure that the work is carried out by a person not having a criminal record provided that such a requirement is reasonable with regard to the nature of the work to be carried out, or if required by law. Article 10 of the GDPR lays down the legal basis for processing the sensitive data under Section 316(4)(h) of Act No. 262/2006 Sb., Labour Code, as amended.

6. **Sensitive data under Paragraph 2(c)** hereof are processed by the Employer in relation to members of trade unions to achieve the purposes of trade unions.

7. Personal and sensitive data are collected and processed only to the extent necessary to fulfill the respective purposes and are processed and stored only as long as necessary with respect to the purpose of processing. Personal and sensitive data **are collected and processed by the employees of the Employer’s Human Resources and Payroll Offices** both in paper and electronic form, and by authorized employees of the Computer Centre in an electronic form. The data may be made accessible only to authorized employees of the Employer; such an authorization may follow from their job description, applicable legislation or from the Employer’s policies and guidelines. The Employer has adopted measures to prevent unauthorized or accidental access to such data.

8. Employees provide personal and sensitive data to the extent defined by Paragraphs 1 and 2 hereof on a **voluntary basis**. If a job applicant refuses to provide all or some of the required personal data, the Employer will not be able to enter into employment with such a job applicant (this is not applicable to failure to provide sensitive data under Paragraph 2(c) hereof), or the employee may not be able to claim his or her statutory rights or rights under the Employer’s polices or guidelines which the Employee may enjoy during employment with the Employer or before employment is entered into.

9. **The Employer transmits employees’ personal and sensitive data to the following recipients:**

a) public authorities if required by law;

b) entities that the Employer enters into contract with if such a transmission is necessary to enforce the Employer’s legitimate interest during the employment or in relation to it (e.g. the employee is the contact person for the respective contract; the Employee’s data are transmitted to an entity providing accommodation or training; it is the Employer’s partner in a project, etc.);

c) entities that the Employer enters into contract with if such a transmission is necessary to pursue an interest of the employee (e.g. transmission of the Employee’s data in order to secure employee meal vouchers).

10. Please note that the Head of the Rector’s Office of Palacký University Olomouc, Křížkovského 8, 779 00 Olomouc acts as the **UP** **data** **protection officer.** Please be advised of the Employee’s **rights under Article 13 of the GDPR, or as the case may be, under Articles 15-22, 34 and 77 of the GDPR**:

Under Article 15 of the GDPR, Employees may obtain from the Employer confirmation as to whether or not their personal data are being processed, and, where that is the case, Employees may obtain access to the personal data and the related information defined in Article 15(1)(a)-(h) of the GDPR. Employees may be provided with one free copy of the processed personal data provided that the requirements of Article 15 of the GDPR are met.

Under Article 16 of the GDPR, employees may obtain rectification of their inaccurate personal data, or have incomplete personal data completed.

Under Article 17 of the GDPR, employees may obtain the erasure of their personal data from the Employer without undue delay in compliance with Article 17.

Under conditions stipulated in Article 18 of the GDPR, employees may request that the Employer restrict the processing of personal data.

**Under the conditions stipulated in Article 20 of the GDPR, employees have the right to data portability.**

**Under the conditions stipulated in Article 21 of the GDPR, employees have the right to object to the processing of their personal data.**

Under the conditions stipulated in Article 34 of the GDPR, employees are entitled to be informed of a personal data breach provided that such a breach is likely to result in a high risk to the rights and freedoms of natural persons.

Under Article 77 of the GDPR, employees may lodge a complaint with a supervisory authority, in particular in the Member State of their habitual residence, place of work or place of the alleged infringement if Employees consider that the processing of personal data relating to them infringes the GDPR.

11. For further information on Employee’s rights in relation to personal data processing, please consult Articles 15-22 and Article 34 and 77 of the GDPR. All rights and obligations related to the collection and processing of personal and sensitive data are governed by the GDPR and related legislation.

 prof. PhDr. Zdeněk Pechal, CSc. mp

**II.**

**Employee’s Consent to Collecting and Processing Sensitive Data**

The Employee declares that he or she has been informed of the Employee’s rights and obligations as well as the Employer’s obligations under Article I.

In Olomouc on

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