



# GDPIR

MANAGING DATA PROCESSING  
IN THE WORKPLACE THROUGH  
INDUSTRIAL RELATIONS

## National Report - Slovakia



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## Introduction

In the modern era, the protection of personal data has gained significant importance within the context of workplaces. With this in mind, this report offers a comprehensive examination of the legal frameworks that regulate the protection of worker's personal data in Slovakia. The report presents the research outcomes of the European-funded project GDPIR: Managing Data Processing in the Workplace through Industrial Relations (No. 101048690), which focuses on data processing in Slovak manufacturing workplaces. This sector was chosen due to its role as a leading participant in the digital transformation, making it particularly vulnerable to the phenomenon of "datafication" or the extensive utilization of workers' data in the employment setting. This report utilized a combination of qualitative and quantitative methods to generate its insights. Chapters 2 and 3 were developed through a desk research approach, which involved reviewing national legislative frameworks and pertinent scientific literature, as well as scrutinizing relevant case law, administrative practices, and decisions made by Data Protection Authorities. On the other hand, Chapter 4 presents findings from an online survey conducted among workers' representatives and trade unionists involved in social dialogue procedures at the workplace level, along with interviews with national trade unionists to evaluate the extent and nature of national trade union organizations' participation in issues concerning the processing of workers' data. Chapter 5 concludes the report with remarks on research results and the contribution of national industrial relations to workers' data protection and processing. Both categories of respondents are active in the manufacturing sector and belong to the metal federation (OZ KOVO) and the main trade union confederation in Slovakia, KOZ SR (Konfederácia odborových zväzov Slovenskej republiky). OZ KOVO represents metalworkers and it is the largest sectoral union in Slovakia.



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**National legal framework on workers'  
data protection and processing**

# 1. National legal framework on workers' data protection and processing

## 1.1 The main legal provisions

Slovakia's institutional framework for data protection and processing is primarily governed by the Personal Data Protection Act (Zákon o ochrane osobných údajov)<sup>1</sup>, which was adopted in 2018 and implements the EU's General Data Protection Regulation (GDPR). Specifically, the Office for Personal Data Protection of the Slovak Republic implemented it as Act No. 18/2018 Coll. on Protection of Personal Data and on Changing and Amending of other acts, but is usually referred to as Act No. 18/2018 Coll or the Personal Data Protection Act. It entered into force on 25 May 2018. In addition to the Act, specific regulations from the Slovak Labour Code<sup>2</sup> also govern data protection and processing in the workplace.

The Personal Data Protection Act regulates the gathering, use, and storage of personal data in general. Specifically, in regard to the processing of personal data in the workplace, it follows the idea that employers are only permitted to gather information about employees' qualifications, work history, and other personal data (including the findings of any medical or psychological examinations that attest to the employee's suitability for a particular type of work) that may be pertinent to the work the employee is performing or will be performing. Therefore, in terms of processing personal data in a workplace, the Personal Data Act serves only as the general law and regulations of the Labour Code have the impact of specialized law. Accordingly, the main source of provisions regulating privacy and data protection at the workplace is Act No. 311/2001 Coll. - Labour Code (Zákoník práce), which regulates data protection and processing in the workplace mainly by establishing requirements for employers to protect employees' personal data and privacy.

In this document, the fundamental tenet for protecting employee personal data is laid down in Article 11 of the Labour Code. The article offers basic guidelines for processing employee personal data that are consistent with the principles of legality, legitimacy, and proportionality upheld by the Constitutional Court of the Slovak

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<sup>1</sup>In Slovak - [https://www.slov-lex.sk/static/pdf/2018/18/ZZ\\_2018\\_18\\_20220330.pdf](https://www.slov-lex.sk/static/pdf/2018/18/ZZ_2018_18_20220330.pdf) & in English, [https://dataprotection.gov.sk/uouu/sites/default/files/2019\\_10\\_03\\_act\\_18\\_2018\\_on\\_personal\\_data\\_protection\\_and\\_amending\\_and\\_supplementing\\_certain\\_acts.pdf#overlay-context=sk/content/182018#overlay-context=sk/content/182018%22](https://dataprotection.gov.sk/uouu/sites/default/files/2019_10_03_act_18_2018_on_personal_data_protection_and_amending_and_supplementing_certain_acts.pdf#overlay-context=sk/content/182018#overlay-context=sk/content/182018%22)

<sup>2</sup>In English - <https://www.employment.gov.sk/files/praca-zamestnanost/vztah-zamestnanca-zamestnavateľa/zakonník-práce/zakonník-práce-anglická-verzia-labour-code-full-wording-2012.pdf>

Republic in cases of privacy and data protection violations following rulings by the European Court of Human Rights (ECtHR). In this regard, the distinction between principles and sections is necessary because principles serve as the core components of labour law legislation and provide interpretive assistance where the interpretation of sections is ambiguous.

In addition to the broad objective of protecting employees' privacy and personal information, the Labour Code also includes particular provisions regarding monitoring systems (such as section 3(4) of the Labour Code) and pre-contractual relations (section 41 of the Labour Code). These regulations were also established to safeguard the privacy and personal information of employees and to ensure that employers handle personal information fairly and transparently.

Accordingly, employers who disregard these regulations may be subject to fines or other sanctions ruled by the Office for Personal Data Protection of the Slovak Republic (DPA), which is the national Data Protection Authority responsible for enforcing GDPR and the Personal Data Protection Act in Slovakia. The role of the DPA is described in Chapter 5 (sections 80-106) of the Act along with its responsibilities, duties, processes, inspections, and procedural rules pertaining to the code of conduct, certificates, and accreditation of the office.

Similarly, the Act also permits national derogations in regard to the processing of personal data in the context of employment under Article 88 of the GDPR. Specifically, it is reflected in section 78(3) of the Personal Data Protection Act. The derogation includes a detailed list of the types of personal information that may be disclosed in the event of such an exemption, that frequently comes into play, for example, when a company shares information about an employee on a website or exchanges contact information over electronic communication. Overall, it is of utmost importance that in such cases the respectability, dignity, and security of the data subject are not violated.

## **1.2 The role granted by law to industrial relations actors and processes (e.g., trade unions, worker representatives, collective bargaining, social dialogue, codetermination) on data protection, processing and new technologies**

Industrial relations play an important part in how new technologies are incorporated in Slovak workplaces. The Slovak Labour Code has various provisions that lay out the

legal basis for the consultation process on issues affecting workers' interests, including the introduction of new technologies in the workplace.

In accordance with Section 51 of the Labour Code, employers are required to consult with employee representatives, such as trade unions or works councils, regarding issues that affect the employee's interests, such as changes to working conditions, job security, and employment prospects. This also covers the introduction of new technologies at work. Employee representatives have the opportunity to negotiate with the employer on matters like job security, training and retraining, and the impact on working conditions while providing input and comment on the changes that are being suggested. As a result, workers are given a voice in the introduction of new technologies, their concerns are taken seriously, and their rights and interests in regard to personal data protections as well as other topics are considered when making decisions.

Section 54 of the Labour Code requires employers to provide employee representatives with relevant information about the proposed changes, including the reasons for the changes, the expected impact on workers, and any measures that will be taken to mitigate negative impacts. The employer must also give employee representatives the opportunity to express their views and provide feedback on the proposed changes. If the employer and employee representatives cannot reach an agreement through consultation, they may request the intervention of the Labour Inspectorate or a mediator to resolve the dispute, as set out in Sections 56 and 57 of the Labour Code.

Furthermore, employers are required to provide workers with information about new technologies and their potential impact on workers' health and safety, working conditions, and employment prospects. This information must be provided in a timely and transparent manner, and workers must have the opportunity to provide feedback and participate in decision-making processes. The specific procedures and requirements for the consultation process may also be set out in collective agreements or other agreements between the employer and employee representatives.

In conclusion, Slovakia has a well-developed institutional framework for data protection and processing in the workplace, and industrial relations are crucial to the implementation of new technologies in the workplace. They ensure that employees' rights and interests are protected and that the potential negative effects of new technologies on workers are minimized. Industrial relations are intended to safeguard workers' rights, advance good working conditions, and make sure that their interests are taken into consideration in decision-making processes.



### 1.3 Relevant case law, administrative practice, rulings of Data Protection Authorities on the topic

The protection of employee data and data processing at work has been addressed in a number of relevant cases, administrative actions, and decisions by Slovak data protection authorities.

IBL, s.r.o. v. Slovak Data Protection Authority (DPA), in which the DPA penalized the business for processing the personal data of its employees without a sufficient legal basis, is one significant case. The DPA determined that the company's use of biometric data, such as fingerprints, for timekeeping purposes violated both Slovak and EU data protection laws and the General Data Protection Regulation (GDPR). The situation highlights how crucial it is for employers to have a legitimate legal basis for processing personal data, even when it is obtained for work-related purposes.

Another relevant case is the one in which the Slovak DPA punished FPT Slovakia, s.r.o. for failing to sufficiently protect the personal information of its workers from unauthorized access. Employee information, including names, addresses, and social security numbers, were exposed online in a data breach case.

Administrative practice guidelines have been released by the Slovak DPA on a number of subjects relating to the protection of worker data, such as the use of monitoring devices at work and the handling of employee health information. The guidance offers companies helpful suggestions on how to abide by data protection laws while handling employee personal data.

Overall, these instances and administrative procedures highlight how crucial it is for businesses to abide by data protection laws when handling the personal information of employees. They also highlight the important role of data protection authorities in upholding these laws.

### 1.4 Possible legal developments in the near future

Since Slovak labor law and EU data protection legislation are so closely related, any future changes to EU law in these areas could have an effect on Slovak law as well. For instance, the EU is currently revising its data protection regulations, and it's likely that new guidelines or regulations could be approved in the upcoming years that could have an impact on Slovak law.

Similar to this, the EU has been working on initiatives involving the introduction of new technologies in the workplace, such as the Digital Single Market Strategy, which aims to encourage the use of digital technologies across the EU. Any changes in these areas might also affect Slovak labor legislation and industrial relations.



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**Main features of industrial relations in  
the manufacturing sector**

## 2. Main features of industrial relations in the manufacturing sector

### 2.1 Trade union and employer representation and their density

Trade unions in Slovakia have been an important part of the country's economic and political development since the transition from state socialism to democracy and a market economy in 1989. The former unitary structure of trade unions was gradually transformed, leading to the emergence of the current, more fragmented landscape. Today, unions are established as genuine representatives of workers' interests at the enterprise and industrial levels, but their institutional powers are strongly entrenched in legal regulations.

The newly established trade union confederation Joint Trade Unions of Slovakia represents several so-called "modern" professional and company-level unions that emerged by breaking away from the long-established unions in their industries or establishments. KOZ SR remains committed to its traditional strategies in social dialogue and bargaining but has also begun to engage in public protests/campaigns and workplace unionism.

Despite these economic changes, there has been a decline in trade union density in Slovakia. This decline can be linked to historical developments and recent trends. In the first period of state socialism in Czechoslovakia, unionization rates were high, but independent collective bargaining, industrial democracy, and tacit knowledge essential for the emerging market economy were lacking (Myant 2010).

Union density declined from 32% in 2000 to 13% in 2015, while employers' association rate has remained relatively stable at above 30% over the past two decades (Kahancová-Uhlerová 2023).

KOZ SR as of 2021 recorded a total of nearly 240,000 members of production trade unions accounting for more than 57% of the membership base, which is approximately 137,000. Out of these, around 68,000 members belong to OZ KOVO, which makes it the largest trade union in Slovakia. In total, OZ KOVO has 379 basic organizations (Bariéry členstva 1 2022).

The KOVO union brings together members primarily from the engineering, electrical, metallurgical, and glass industries, as well as from the services and public road transport sectors. This includes members in all types of secondary schools and individuals from other industries who have expressed an interest in being organized within a trade union. OZ KOVO has a permanent representation in the top bodies of

KOZ SR since its foundation (25 rokov Konfederácie odborových zväzov Slovenskej republiky 2015).

## 2.2 Role of social partnership in public policy and role of the state in industrial relations

Slovakia's economic growth, derived from market liberalization and labor market deregulation from the early 1990s, combined with the persistence of coordinated industrial relations and firmly established trade union structures, make it an interesting case for analyzing union structures and their transformation. However, unions often face criticism for being subordinated to party politics and business interests.

Trade unions' strong institutional embeddedness during the early 1990s opened trade union access to policymaking, which is still maintained and practiced today. Nevertheless, this policy influence has been gradually weakening because of changes to legally defined representativeness criteria and the weakening impact of tripartism.

The transformation from state socialism to a market economy after 1989 did not undermine trade union hierarchy, but recent years have seen fragmentation of unionism. While unions that have existed for decades continue to focus on traditional modes of action, such as collective bargaining and social pacts with incumbent governments, new unions emerged dissatisfied with the results achieved through bargaining and are now seeking other kinds of action such as protests and strikes.

## 2.3 Collective bargaining structure and coverage

Slovakia has also seen a continuously decline in collective bargaining coverage since 1989, similar to union density. Collective bargaining was affected by the privatization of state-owned enterprises and the inclusion of labour interests in policy-making in exchange for labour acquiescence in economic reforms. This period was also marked by Slovakia's accession to the European Union and the inflow of foreign direct investment. Post-crisis developments after 2008 intensified bargaining decentralization, but also legislative changes related to the extension of bargaining coverage (Martíšková ETUI BAR 2019).

While multi-employer and industry-level bargaining are still important in Slovakia, the importance of company-level bargaining is increasing. Bargaining coverage halved between 2000 and 2015 (Kahancová et al 2019).

OZ KOVO negotiates 7 collective agreements at the sectoral level (in the engineering, metallurgical, electrical, glass, public bus transport, and service sectors and also participates in the negotiation of the collective agreement for employees of the Fire and Rescue Corps) and almost 400 company collective agreements.

## 2.4 Workplace level representation and industrial relations procedures

In general, decentralised collective bargaining dominates in Slovakia, but there are also several sectoral collective agreements in industry.

Professional unions have become very vocal in the past two decades, representing the interests of a narrowly defined profession, which creates a comparative advantage for these unions in identifying their members' shared interests. Other legal options, such as works councils or employee trustees, are not very relevant or are sometimes used by employers as "yellow unions."



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**The role of industrial relations in  
workers' data protection and  
processing**

### 3. The role of industrial relations in workers' data protection and processing

The purpose of this section is to elucidate the significance of employment relations within the framework of protection and processing of employee data in the manufacturing sector in Slovakia. This elucidation is grounded in data acquired through interviews, questionnaires, and documentary research. Subsections 4.1 and 4.2 draw upon interviews conducted with two trade union representatives: one representing the national sectoral trade union OZ KOVO, and the other hailing from the metallurgical industry at the company level. The latter individual possesses extensive knowledge not only in their specific industry but also in the broader sectoral and federative domains. The interviews are complemented by the results of an online survey with union representatives.

We collect information from a survey involving 60 participants (and 16 respondents from European Works Councils version of the survey). The majority of respondents were company-level trade union delegates (72%), with the remainder being regional sectoral trade unionists (23.3%) and national sectoral trade unionists (5%). All respondents were affiliated with the KOZ SR trade union organization. Among the 42 respondents who did not skip the question, 33.3% worked in the automotive sector, 35.7% were in the mechanical engineering sector, 14.3% worked in the basic metal sector, 9.5% were in electronics sector, and 7.1% were in the base materials sector.

#### 3.1 Trade union organisations facing workers' data protection and processing

Interviewees expressed indicated that GDPR is not a priority topic for the unions and collection of employee data pertaining to GDPR is perceived as a moderately significant matter. This practice enables trade unions to maintain records of their members, facilitating targeted outreach and communication in various scenarios (SK1). However, it is generally not considered a top-priority item on their agenda (SK2). Conversely, from an employer's standpoint, the acquisition of information concerning the education and training of employees holds importance in the decision-making process related to career advancement. Employee data collection has been an enduring practice, transitioning to an entirely electronic format in recent times, resulting in digital storage and management. The issue of what kind of involvement of workers and/or their representatives has been foreseen in the GDPR



policy agreed with management was answered by nine survey respondents. Among them, five reported that, prior to the introduction of new tools, worker representatives are informed about their functionality, the data collected, and the goals pursued. Additionally, three recalled that before the introduction of new tools, a negotiation procedure is initiated to reach an agreement on the processing of workers' data by employers, specifically related to the given tool. Furthermore, one respondents reported that workers and/or their representatives are engaged in the analysis of collected data. Notably, none of the respondents reported experiencing a situation where workers are consistently provided with notifications detailing the type of data collected and the goals pursued every time a new digital tool is introduced.

Contact information is gathered by both the union and the employer, serving as a crucial element for organizing activities and disseminating information to employees. Employers, in particular, compile contact details to facilitate the transmission of information, frequently utilizing email or a dedicated employer application. Nevertheless, it is with the implementation of GDPR legislation that the matter of permissible data collection and access rights has gained substantial attention. For instance, this legislation has brought about alterations in the delivery of pay slips, with some employers opting to transmit them via email. This shift necessitated the consent of employees, who were required to furnish their private email addresses. However, this change also introduced challenges, such as instances where employers initiated unsolicited communications, leading to complaints and necessitating resolution (SK1).

In the context of the GDPR issue, one particular case highlighted by trade unionists pertains to the use of Closed-Circuit Television (CCTV) systems in the workplace. Historically, trade unions have confronted instances of unauthorized employee surveillance, motivated by the desire to monitor employees; however, such practices have become less prevalent in recent times (SK1, SK2). In the broader assessment, it is noteworthy that cameras have not demonstrated the positive impact on workplace ambiance or employee productivity originally anticipated by management (SK1). Moreover, more sophisticated mechanisms or algorithms designed to monitor adherence to work norms or productivity have not been observed (SK1, SK2).

## **3.2 Main topics and trends in social dialogue practices**

### **3.2.1 Social dialogue and collective bargaining**

In general, GDPR is not a pressing or primary concern for Slovak trade unions. As per one respondent's account, the company's collective agreement does not encompass the GDPR topic. Instead, it is addressed solely within the purview of an internal company regulation, which necessitates the consent of the trade union (SK1). Furthermore, it is noteworthy that the sectoral collective agreements also do not incorporate the GDPR agenda (SK2). The survey provided better data in this area. In the majority of survey respondents' experiences (51,7%), the issue of workers' data processing is mainly managed through collective bargaining. In the rest of the experiences of respondents, it is evenly (27,6%) managed either through codetermination or information and consultation procedures. The smallest proportion of respondents (25,7%) is used to managing of the issue of workers' data processing unilaterally by management. On the question of ever negotiating a company collective agreement regulating exclusively or, among various issues, workers' data processing, most of the respondents answered negatively (44,8%). At the same time, almost 19% of the respondents do not remember or do not know whether they ever negotiated a company collective agreement regulating workers' data processing. The smallest group of the respondents negotiated an collective agreement just once and more than once. Concerning GDPR issues, trade unions engage in discussions on pertinent subjects exclusively within the context of national institutions, such as the Tripartite, or via an extraministerial comment procedure facilitated by the Confederation of Trade Unions of the Slovak Republic (SK1).

Only 18 respondents indicated that GDPR issues were the primary concerns during negotiations for a company collective agreement. Most of those (7 respondents) negotiated over the topic of establishing general policies with management concerning workers' data processing. Three respondents discussed enabling workers and/or their representatives to have a role in the analysis of workers' data collected in the workplace and the same amount of respondents negotiated regulating the use that can be made by management of workers' data (safety matters, disciplinary actions, training purposes, etc.). In the same manner, both ensuring the respect of international and national privacy/data protection law and restricting the presence of remote monitoring tools in the workplace (e.g., geolocation tools, "smart badges", productivity tracking softwares, wearable technology etc.) were the topics of negotiations in some of the cases. The least negotiated topic regarded the creation of joint labour-management committees or other bodies dedicated to the study of data protection issues (e.g., the development of legislation at the national and international level).

Regarding the question of the permitted and regulated uses of workers' data through collective bargaining, only three respondents provided answers. Among them, all three recalled the use of workers' data for wage payment purposes. Additionally, two of these respondents mentioned the use of data for disciplinary actions, health and safety matters, while one respondent also indicated that the data had been utilized for improving organizational and productive processes, as well as for training and career development purposes. None of the respondents reported the use of data for recruitment purposes. Only 2 respondents have answered the question regarding the prevented uses of workers' data by collective bargaining. In this regard, both of them reported prevention of the data used in health and safety matters and wage payments matters. Just one also reported such prevention in regard to disciplinary actions as well as for training and career development purposes. None of them reported the prevention of the use of workers' data for recruiting purposes.

The primary challenges associated with negotiations pertaining to the processing of worker data encompass several key aspects. These challenges include the challenging task of acquiring timely, comprehensive, and complete information from the management team. Additionally, there is a notable absence of in-house experts specialized in data management participating in the negotiation process. Furthermore, a deficiency in knowledge or expertise is observed on either side of the negotiating table. When queried about the availability of data processing experts to assist negotiating parties, 18 respondents answered in the negative. In contrast, the remaining 21 respondents reported having access to such experts within their workplaces. The majority of these respondents had access to internal company experts. However, in several cases, other options were also available, including external experts recruited by the trade union, external experts commissioned by the company, or internal resources within the trade union who were specifically trained in the subject matter. The primary responsibilities of these experts include organizing training modules for workers, their representatives, or managers, providing legal counsel on European and national privacy and data protection laws and offering guidance on the processing of workers' data.

Of those who had never participated in the negotiation of an enterprise collective agreement governing exclusively or, among other issues, the processing of employee data, 30 gave reasons for their non-participation. Of these, sixteen respondents stated that these issues are usually unilaterally managed by the management of the company, nine felt that they did not have sufficient knowledge and skills to be able to comment on this issue, three also stated that new technologies entailing the processing of workers' data are rarely introduced in the company or that they did

not yet perceive the need to regulate the processing of workers' data, and two did not consider the processing of data in the workplace to be a priority.

### 3.2.2 Support tools in social dialogue procedures

Educational initiatives and internal training sessions have been conducted regarding GDPR, primarily targeting the presidents of constituent organizations and administrative personnel. These efforts aim to equip them with the knowledge of permissible data handling practices, the relevant circumstances, and the appropriate recipients (EN1). However, it is worth noting that no research activities were undertaken within the study area (SK1, SK2). When queried about their attendance at specific training modules regarding how employers manage worker data, 21 of the survey respondents responded negatively, and five either did not recall or were uncertain. However, the 18 remaining respondents had participated in such training modules, which were organized by either the trade union or the employing company. The smallest proportion, comprising two respondents, had also engaged in training modules organized by external organizations or institutions. Out of the 18 participants in the specific training modules, 16 also provided information about the primary subjects covered in these training sessions. These topics primarily encompassed discussions on the key aspects of European and national privacy and data protection laws, with marginal attention given to subjects related to identification techniques and the privileges associated with the processing of workers' data by employers. Notably, none of the topics delved into emerging technologies that could potentially influence workers' data, such as artificial intelligence (AI) and algorithmic control.

Departments, basic organizations, and even at the federative level, there is a notable absence of dedicated structures specifically designed to address GDPR concerns (SK1). At the federative level of the OZ KOVO, there exist organizational units staffed by an occupational safety and health technician and a lawyer, whose responsibilities encompass some aspects of GDPR, albeit not as their primary focus. The survey incorporated a query regarding the availability of IT experts, those proficient in the operation of new technologies, to fulfill the union's requirements. Among the respondents, 43.6% answered negatively. In most instances, the respondents who did not answer negatively had encountered an in-house company expert, followed by an external expert engaged by the company, an external expert contracted by the union, or an internal union resource specifically trained in the relevant subject matter.

### 3.3 The experience of MNCs

The survey conducted among 16 respondents sheds light on various aspects of European Works Councils (EWCs) and their engagement with workers' data processing issues within multinational companies (MNCs). One of the significant findings pertains to the alignment of national legislation with the location of the MNC's head office. Approximately two-thirds of respondents (66.7%) believe that the national legislation applied by the EWC is not different from the country where the MNC's head office is located. However, it's noteworthy that one-third perceive differences in national legislation, particularly among those working for MNCs headquartered in Germany.

Regarding data management, approximately 44% of respondents affirmed that the EWC is informed about the MNC's data management processes. Some respondents specified that this information is primarily shared during plenary meetings. However, a similar percentage of respondents (57.1%) either do not recall or are unsure about whether such information is provided. In terms of negotiations on workers' data processing, a small subset of respondents (18.8%) reported having engaged in negotiations with central management. Among these, majority stated they had negotiated on more than one occasion, while the remaining had never negotiated on this topic. Some cited the absence of a need to regulate the issue at a transnational level, while others pointed to limitations in their EWC founding agreements as reasons for not negotiating.

Despite these findings, the survey revealed that joint initiatives or projects involving workers' data collection and processing have not been undertaken by any of the respondents. Reasons cited included a perceived lack of necessity for such initiatives at the transnational level. Barriers to dialogue with central management regarding workers' data processing emerged as an important theme. Respondents identified that this issue is not always a priority at the transnational level and might be more effectively regulated at the local or site level. Furthermore, some respondents pointed out that European and national legislation did not establish specific prerogatives for EWCs in this field.

In terms of training and expertise, only a quarter of the respondents had participated in training modules related to workers' data processing. Half of them indicated that these modules were organized by their affiliated trade unions. The topics covered in these training modules ranged from European and national privacy and data

protection laws to discussions on emerging technologies like artificial intelligence and algorithmic management.

The availability of experts in data processing was reported by a quarter of respondents, with one respondent specifying that an internal resource within the EWC, such as the EWC Coordinator, served as an IT expert. However, details regarding the costs associated with external experts were inconclusive.

In summary, these survey results provide some insights into the composition of EWCs, their interaction with workers' data processing issues, and the challenges they face. It underscores the need for clear guidelines, effective training, and a deeper understanding of the role of EWCs in managing workers' data within MNCs.



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**General evaluations and  
conclusions**

## 4. General evaluations and conclusions

Trade unions in Slovakia generally do not prioritize the topic of GDPR in relation to employment, and employee data collection for union-related purposes is seen as moderately significant. Employers often collect employee data for various purposes, including career advancement decisions and electronic record-keeping. Involvement of workers or their representatives in GDPR policy and data processing agreements with management varies but is not always comprehensive. The issue of permissible data collection and access rights has gained attention due to GDPR legislation, leading to challenges, such as unsolicited communications to employees. GDPR is not a primary concern for Slovak trade unions, and it is often not covered in company-level or sectoral collective agreements, but the survey showed that there is some experience in the area under review. Negotiating a company collective agreement specifically addressing workers' data processing is relatively uncommon. The permitted uses of workers' data through collective bargaining primarily include wage payments, disciplinary actions, health and safety, training, and career development. Challenges in negotiations include obtaining comprehensive information, lack of in-house data management experts, and knowledge gaps on both sides. Educational initiatives and training sessions are conducted to educate union leaders and administrative personnel about data protection practices. There is a lack of dedicated structures within trade unions to address GDPR concerns. The availability of IT experts varies, with some unions having access to in-house experts or external experts contracted by the company or the union.

The experience with the topic of GDPR in the multinational companies (MNCs) with European Works Councils (EWCs) often align with the national legislation of the MNC's head office country. Information sharing on data management processes with EWCs varies, with some members unsure if such information is provided. Negotiations on workers' data processing are relatively rare, with some citing a lack of necessity and limitations in EWC founding agreements. Joint initiatives or projects involving workers' data collection and processing are not common among EWCs. Training on workers' data processing is limited, with topics ranging from privacy laws to emerging technologies. The availability of experts in data processing varies among EWCs, and costs associated with external experts are not well-documented.

### 4.1 GDPR legislation



Slovakia's legal framework for workers' data protection and processing is primarily governed by the Personal Data Protection Act, which aligns with the EU's GDPR. This legislation regulates the gathering, use, and storage of personal data in the workplace, emphasizing that employers can only collect relevant information about employees for work-related purposes. The Slovak Labour Code complements these provisions by establishing requirements for employers to protect employees' personal data and privacy, with Article 11 serving as a fundamental guideline. Violations of these regulations can lead to fines or sanctions imposed by the Office for Personal Data Protection of the Slovak Republic.

Industrial relations play a crucial role in the incorporation of new technologies in Slovak workplaces. The Labour Code mandates consultation with employee representatives, including trade unions or works councils, on matters affecting workers' interests, such as the introduction of new technologies. These representatives have the opportunity to negotiate and provide input, ensuring that workers' rights and data protection concerns are addressed. Employers must also provide relevant information about proposed changes, and if disputes arise, mediation or intervention by the Labour Inspectorate can be sought. Overall, industrial relations help protect workers' rights and interests while considering personal data protections and other aspects in decision-making processes.

## 4.2 Overall conclusion

In the manufacturing sector in Slovakia, the protection and processing of workers' data are not primary concerns for trade unions, and GDPR issues are often not addressed comprehensively in collective agreements. Challenges in negotiations include information gaps, lack of expertise, and varying priorities. In MNCs face similar challenges but also encounter issues related to the transnational nature of data processing. Education and training initiatives are conducted to improve understanding of data protection practices, but they do not always cover emerging technologies.

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