

# TABLE OF CONTENTS

<b>Introduction</b>	1
<b>Austria</b>	3
I. Legislation Implementing the 1995 Data Protection Directive – Specific Provisions Applicable Within the Employer- Employee Relationship	5
II. Provisions of Private Law and Employment Law	7
III. Criminal Law Provisions	8
IV. Abbreviations	20
<b>Belgium</b>	21
I. Introduction	23
II. Personal Data in the Employment Context	24
III. The Treatment of Workers’ Sensitive Data	33
IV. Final Remarks	53
<b>Denmark</b>	55
I. General Legal Framework	57
II. Means of Redress and Sanctions under the Above Provisions	68
III. Specific Issues Relating to Treatment of Workers’ Sensitive Data	71
<b>Finland</b>	77
I. Introduction	79
II. General Principles and Framework	79
III. Processing of Worker’s Sensitive Data	87
IV. Concluding Remarks	102
<b>France</b>	105
I. Introduction	107
II. General Regulation on Workers’ Personal Data	108
III. Specific Provisions about Particular Types of Data	112
<b>Germany</b>	117
I. Introduction	119
II. General Legal Aspects	119
III. Processing of Workers’ Data	122
IV. Employees’ Rights	123

V.	Particular Data	125
VI.	Data Protection by Works Council	129
VII.	Outlook	130
<b>Greece</b>		133
I.	General Principles and Employee Privacy Protection Framework	135
II.	Specific Issues on Workers' Sensitive Data Protection in the Employment Context	142
III.	Conclusions	147
<b>Ireland</b>		149
I.	Personal Data in the Employment Context	151
II.	The Treatment of Sensitive Workers' Data	160
<b>Italy</b>		167
I.	Introduction	169
II.	The Legal Framework	170
III.	Regulation of Areas of Inquiry	181
IV.	Conclusion	192
<b>Luxembourg</b>		195
I.	Personal Data in the Employment Context	197
II.	The Protection of Sensitive Data	200
<b>The Netherlands</b>		203
I.	Introduction	205
II.	General Principles and Legal Framework Regarding Workers' Personal Data	206
III.	Specific Issues of Workers' Personal Data, Sensitive Data	216
IV.	Conclusion	233
<b>Portugal</b>		235
I.	Introduction	237
II.	Personal Data in the Employment Context – General Principles and Framework	238
III.	The Treatment of Workers' Sensitive Data	257
IV.	Final Remarks: The Need for a Sector-specific Regulation of Workers' Personal Data Processing in the Employment Context	270

<b>Spain</b>	273
I. Legal Framework in the Member State	275
II. Personal Data Protection Regarding a Candidate for a Job Position	279
III. Personal Data Protection Regarding the Workers, after Signing the Contract of Employment	282
<b>Sweden</b>	287
I. General Principles and Framework	289
II. Specific Issues	294
<b>United Kingdom</b>	299
I. Introduction	301
II. The Data Protection Principles	304
III. The Research Questions	304
<b>Comparative Overview</b>	315
I. General Legal Framework	317
II. Sensitive Data Protection in the Employment Context	330
III. Final Remarks	339