



The 1st International Academic Conference on Business Administration and Communication Arts
Faculty of Management Sciences, Yala Rajabhat University
“Business Administration and Communication Arts for Sustainable Local Development”
July 20, 2023

The Impact of Personal Data Protection Act, B.E. 2562 On The Performance Process of Human Resource

Lubna Niyomdechana*, Yuthachai Hareebin and Nichada Ruangrit

Faculty of Management Sciences, Phuket Rajabhat University, Muang, Phuket 83000, Thailand

*Corresponding author, e-mail: lubna.n@pkru.ac.th

Abstract

This research aims to 1) to study the impact of Personal Data Protection Act, B.E. 2562 on the performance process of human resource. 2) to study the performance adaptation of human resource professionals under the requirements and scope of Personal Data Protection Act B.E. 2562. 3) to study guidelines for the practice of human resources under the requirements and scope of the Personal Data Protection Act B.E. 2562. The research model is qualitative research. Using the Personal Data Protection Act B.E. 2562 and human resource operations as a conceptual framework for research. The sample group is human resource 10 employees, which are 5 human resource managers and 5 human resource officers by using purposive sampling. Data were collected by interview form in the form of in-depth interviews as a research tool. The results showed that human resource professionals have increased performance processes, which is to request consent for the collection, use or disclosure of personal data of employees. Affecting human resource performance such as recruitment and selection, wages and welfare, development and training, performance evaluation, and labor relations. which human resource professionals must adjust their performance in accordance with Personal Data Protection Act B.E. 2562. Research findings the results of the research can be used as supporting information for the determination of guidelines for the performance of human resource personnel in accordance with the Personal Data Protection Act B.E. 2562 in order to avoid illegal actions.

Keywords : Personal Data Protection Act B.E. 2562, work practices of human resource personnel, Impact

Introduction

Nowadays, the world has entered the digital age which the use of information is widespread. People exchange information all the time, transmitting, transferring, linking information in a variety of ways. In the same time, there is an infringement of personal information in the pursuit of benefits in both good and bad ways as there are many forms of crime. Therefore, many countries have legislation to protect personal data, for example, ASEAN countries such as Indonesia, Malaysia, Philippines, Vietnam, including the United States and the European Union have laws on personal data protection, such as together in 2018, the European



The 1st International Academic Conference on Business Administration and Communication Arts
Faculty of Management Sciences, Yala Rajabhat University
“Business Administration and Communication Arts for Sustainable Local Development”

July 20, 2023

Union enacted the General Data Protection Regulation or GDPR. who have business contacts with countries in the European Union the personal data protection law must be improved to have an appropriate and adequate standard on par with the law of the European Union (Praneetphonkrang, 2020). For Thailand, the Personal Data Protection Act 2019 has been announced., B.E. 2019 or PDPA, modeled on EU GDPR. The reason for the promulgation of this law is because at present there is a large number of violations of the right to privacy of personal data. coupled with the advancement of technology Makes the collection, use or disclosure of personal data easy, convenient and fast, causing such abuse. The essence of this law focuses on organizations, agencies or juristic persons to have appropriate and sufficient standards for handling personal data. (Turakij, 2020)

The Personal Data Protection Act B.E 2562., there are no operational measures in line with this law. There will be legal penalties. both in civil offenses criminal and administrative penalties. Organizations must pay attention and adjust their operations in strict accordance with this law. Whether small or large organizations are required to provide a privacy policy to increase the standard of the organization's personal data protection policy to be safe (Suksamai, 2019)

Human resource professionals, who are considered to be related persons and directly affected by the Personal Data Protection Act 2019, as they are persons who have to perform work related to employee personal information, such as name-surname, address, telephone number, email address and copies of legal documents. All of these data are personal data of employees protected by the Personal Data Protection Act B.E. therefore able to collect, use or disclose employee personal information. Human resource professionals are greatly affected in operational processes. Due to the performance of human resources, whether it is recruitment and selection wage and welfare work development and training work performance appraisal work and labor relations All of them have to use the personal information of employees in their work. The operations of human resource professionals are easily vulnerable to illegal actions. Human resource professionals need to be careful and adjust the work in accordance with the Personal Data Protection Act B.E. 2562 (Petchwirojchai, 2021)

Therefore, from the aforementioned as a result, the researcher was interested in studying the impact of the Personal Data Protection Act B.E. 2562 on the work process of human resource professionals. And propose guidelines for adapting the work of human resources under the terms and scope of the Personal Data Protection Act 2019 in order to avoid legal offenses Personal Data Protection Act 2019.

Research Objective

1. To study the impact of the Personal Data Protection Act B.E. 2562 on the work process of human resource professionals.
2. To study the adaptation in the work of human resources under the requirements and scope of

the Personal Data Protection Act B.E. 2562.

3. To propose guidelines for the performance of human resource professionals under the requirements and scope of the Personal Data Protection Act B.E. 2562.

Research Methodology

This research is qualitative research (Qualitative Research) by carrying out the following steps.

1. The population used in this study were human resource managers at the managerial and operational levels. private agency and the sample group of 10 people, consisting of 5 human resource managers and 5 human resources officers, were used by purposive random sampling.
2. The tool used for data collection was an interview in the form of an in-depth interview.
3. The researcher collected data through in-depth interviews with human resource specialists. 10 private agencies, consisting of 5 human resource managers and 5 human resource officers
4. The researcher brought data from interviews to transcribe. Check the accuracy and credibility of the data by means of data triangulation by examining different sources of data. It consists of information from the study of concepts and theories. including related research and information obtained from in-depth interviews from the sample group and the data were analyzed and organized according to the research objectives.
5. The researcher uses a descriptive research method to present the research results according to the research objectives.

Research Results

1. study result in terms of the impact of Personal Data Protection Act, B.E. 2562 on the process of human resource practices.

Impact results on the impact of the Personal Data Protection Act B.E. 2562 on human resource operations.

The study found that it affects the performance of human resources in almost every job, including recruitment and selection. wage and welfare work development and training performance appraisal work and labor relations because in the performance of every job, all employees must collect, use or disclose personal information. Therefore, must be very careful in order not to go against the Personal Data Protection Act B.E. 2562.

Results of the study on the impact of the Personal Data Protection Act B.E. 2562 on wage and welfare operations.

The study found that Wage and welfare operations are coordinated with many external agencies such as banks, social security and training agencies, etc., which must export personal data of employees to



The 1st International Academic Conference on Business Administration and Communication Arts
 Faculty of Management Sciences, Yala Rajabhat University
 “Business Administration and Communication Arts for Sustainable Local Development”

July 20, 2023

such agencies. Therefore, care must be taken when exporting data to external agencies to ensure safety. and only export personal data of employees to third parties as necessary or in compliance with legal requirements. In the event that an external agency processes employee personal data Third parties must have appropriate measures to protect personal data. And do not allow third parties to use the information for purposes other than those specified or authorized. Or may be sent as anonymous information, hidden information to external agencies. For the safety of personal information of employees in the case of personal information of employees' families used for welfare management for employees' families Employees are asked to obtain consent from the family of the data subject first.

Impact results of the study on the impact of the Personal Data Protection Act B.E. 2562 on wage and welfare operations.

The study found that Wage and welfare operations are coordinated with many external agencies such as banks, social security and training agencies, etc., which must export personal data of employees to such agencies. Therefore, care must be taken when exporting data to external agencies to ensure safety. and only export personal data of employees to third parties as necessary or in compliance with legal requirements. In the event that an external agency processes employee personal data Third parties must have appropriate measures to protect personal data. And do not allow third parties to use the information for purposes other than those specified or authorized. Or may be sent as anonymous information, hidden information to external agencies. For the safety of personal information of employees in the case of personal information of employees' families used for welfare management for employees' families Employees are asked to obtain consent from the family of the data subject first.

Impact results of the study on the impact of the Personal Data Protection Act B.E. 2562 on development and training operations

The study found that Development and training operations have planned training on the Personal Data Protection Act B.E. 2562 for employees throughout the organization. both involved employees and non-involved employees to provide employees throughout the organization with knowledge and understanding of this law. As for the employees involved, they will have knowledge and understanding. in order to be able to work properly and appropriately and not violate or against the law. Employees who are not involved to raise awareness and see the importance of personal data protection laws and recognize their rights as the subject of personal data

Impact results of the study on the impact of the Personal Data Protection Act B.E. 2562 on the performance of performance appraisals

The study found that Performance appraisal operations have data on employee performance. to evaluate performance in which the preparation of employee performance data may be performed, for example, having employees scan fingerprints to record attendance results - out of work. Installation of CCTV



The 1st International Academic Conference on Business Administration and Communication Arts
 Faculty of Management Sciences, Yala Rajabhat University
 “Business Administration and Communication Arts for Sustainable Local Development”

July 20, 2023

cameras to assess the performance of employees. and to maintain security through CCTV footage These are high resolution sensitive data. That requires consent and notification of the purpose to the employee who is the owner of the personal information. And measures must be taken to secure high-resolution sensitive data by storing it securely use only for its intended purpose and do not pass on this information to external agencies. Employee personal information is only used as necessary for performance evaluation to avoid using employee personal information that is sensitive and it is not necessary or relevant to employee performance evaluations.

Impact results of a study on the impact of the Personal Data Protection Act B.E. 2562 on labor relations performance

The study found that the practice of labor relations is the practice related to the law. Actions are taken to prevent disputes between employers and employees. Therefore, there must be a policy to protect personal information of employees and create measures to maintain the security of personal information of employees in the organization in accordance with this law. In order not to infringe the ownership of personal information of employees. and in order not to cause operations in an organization that violates or is against the law in the event that an employee ceases to work for the organization There is a set period for collecting employee data. to prevent future disputes but when the storage period expires, it is destroyed immediately to prevent information leakage

2. study result in terms of Impact of the Personal Data Protection Act B.E. 2562 on the work process of human resource professionals.

Impact results on forms or measures for obtaining consent, collection, use or disclosure of personal data of employees.

The study found that Asking for the collection, use or disclosure of personal data of employees must always obtain the consent of the employees first by using a written consent form inform about the purpose storage period Including specifying management rights of employees who own personal data.

Impact results on forms or measures to maintain personal data security of employees.

The study found that There is a standard to maintain the security of personal information of employees increased. The right to access personal information of employees is limited those who have access rights are those who have rights based on the use that the purpose has been communicated to the previous employee. Avoid passing employee personal information to outside agencies. unless required to comply with the law and do not pass on the personal information of employees to third parties. If it will be forwarded to third parties, new employees' consent is requested again and third parties only act as permitted. cannot perform any other actions Personal data storage of employees is kept confidential and secure. Security passwords are set, such as computer passwords. and document file passwords, etc., to prevent the leakage of personal information of employees.



The 1st International Academic Conference on Business Administration and Communication Arts
 Faculty of Management Sciences, Yala Rajabhat University
 “Business Administration and Communication Arts for Sustainable Local Development”

July 20, 2023

Impact results of a study on the impact of the Personal Data Protection Act B.E. 2562 on the work process of human resource professionals

The study found that processes or steps in the performance of human resources personnel increased, including processes for obtaining consent. Consent is required to inform the purpose of collecting, using or disclosing personal data of employees including specifying the rights of employees who own personal data. In the case of changes or additions to the objectives, the consent of new employees must be sought. Process for collecting employee personal information There is a data storage format. and the storage period that must be appropriate and safe and the process of erasing or destroying personal information of employees that must be strict. To prevent the leakage of personal information of employees.

Impact results of a study on the impact of the Personal Data Protection Act B.E. 2562 on the organization's operational processes

The study found that organizational operational process starting from before being deployed within the organization Organizations and related employees must thoroughly study and train on this law. To jointly plan and formulate a personal data protection policy within the organization in accordance with applicable laws. during implementation within the organization. Organizations have increased and changed operational processes. There is a system to manage personal information of employees better. And let employees throughout the organization be trained about the Personal Data Protection Act 2019 so that employees have knowledge and understanding about this law and the organization has strictly followed the privacy protection policy created in order not to cause illegal acts and after adoption within the organization. The organization has monitoring, control and evaluation of the implementation to develop and improve the personal information protection policy within the organization to be more effective.

3. study result in terms of guidelines for the practice of human resources under the requirements and scope of the Personal Data Protection Act B.E. 2562

The study found that the work of human resource professionals must pay attention to and take into account the privacy rights of employees. Rights of ownership of personal data of employees And the rights protected by the Personal Data Protection Act B.E. only Consent is required before collecting, using or disclosing employee personal information by using a written consent form. which must inform the purpose of collecting the data Storage period Including the management rights of the employee who owns the information must be clearly specified. In the case of modifications or additions to the purpose, the consent of the new employee must be obtained. And must have security measures and methods for destroying personal information of employees to prevent data leakage.



The 1st International Academic Conference on Business Administration and Communication Arts
Faculty of Management Sciences, Yala Rajabhat University
“Business Administration and Communication Arts for Sustainable Local Development”
July 20, 2023

Research Discussions

Study of the impact of the Personal Data Protection Act B.E. 2562 on the work process of human resource professionals. The researcher would like to discuss the research results according to the research objectives as follows:

1. Impact of the Personal Data Protection Act B.E. 2562 on the work process of human resource professionals.

The results of the study showed that human resource managers at the executive level and the operational level had the same opinion. Is the operational process or steps in the performance of human resources personnel, including the process of obtaining consent. Consent is required. Inform the purpose of collecting, using or disclosing personal data of employees. Including specifying the rights of employees who own personal data. In the case of changes or additions to the objectives, the consent of new employees must be sought. Process for collecting employee personal information There is a data storage format. and the storage period that must be appropriate and safe and the process of erasing or destroying personal information of employees that must be strict. To prevent the leakage of personal information of employees. This is consistent with the study results of Jatuporn Boonmei (2020) who studied the subject The impact of the Personal Data Protection Act B.E. 2562 on the commercial banking business in Thailand found that Implementation of the Personal Data Protection Act B.E. and changes in various operational processes in order to comply with the law.

2. Adjustments in the work of human resources within the requirements and scope of the Personal Data Protection Act B.E. 2562

The results of the study revealed that the human resource managers at the executive level and the operational level had the same direction, that is, the recruitment and selection operations had to create a consent form for the collection, use or disclosure of applicants' personal information. work Wage and welfare operations that work in collaboration with external agencies such as banks, social security and training agencies. Employee personal data is only exported to such entities as needed or required by law. Development and training operations have planned training on the Personal Data Protection Act B.E. 2562 for employees throughout the organization. To provide employees with knowledge and understanding of the aforementioned laws. Performance appraisal operations use personal information of employees only as necessary for performance appraisals. Avoid using employee personal information that is sensitive and is not necessary or relevant to employee performance evaluations. Labor relations practices prevent disputes between employers and employees regarding this law. By creating a policy to protect personal information of employees and creating measures to maintain the security of personal information of employees in the organization

3. Guidelines for the performance of human resource professionals under the requirements and scope of the Personal Data Protection Act B.E. 2562.

The results of the study showed that human resource managers at the executive level and the operational level had the same opinion, that is, human resource operations must pay attention to and take into account the privacy rights of employees. Rights of ownership of personal data of employees and the rights protected by the Personal Data Protection Act of 2019 of employee's law only. Consent is obtained before collecting, using or disclosing employee personal information by using a written consent form. which informs the purpose of collecting information Storage period including the management rights of the employee who owns the information must be clearly specified. In the case of modifications or additions to the purpose, the consent of the new employee must be obtained. And there are security measures and ways to destroy the personal information of employees. to prevent data leakage

Summary of Research Results

Human resource professionals have increased performance processes, which is to request consent for the collection, use or disclosure of personal data of employees. Affecting human resource performance such as recruitment and selection, wages and welfare, development and training, performance evaluation, and labor relations. which human resource professionals must adjust their performance in accordance with Personal Data Protection Act B.E. 2562. Research findings the results of the research can be used as supporting information for the determination of guidelines for the performance of human resource personnel in accordance with the Personal Data Protection Act B.E. 2562 in order to avoid illegal actions.

Recommendations

Recommendations for applying the research results

1. At the policy level the results of the research can be used as supporting information for the formulation of personal data protection policies within the organization to be in line with the Personal Data Protection Act 2019 in order to prevent the organization from committing illegal acts.
2. At the administrative level the research results can be used as information to develop and improve the personal data protection plan within the organization to be in line with the Personal Data Protection Act B.E. 2562 and be more efficient in the future.
3. At the operational level Human resource professionals can use the research results to adjust their human resource practices to be in line with the Personal Data Protection Act B.E. 2562 in order to avoid illegal actions.

Recommendations for further research

1. Should start studying from the level of knowledge, understanding and importance of the Personal



The 1st International Academic Conference on Business Administration and Communication Arts
Faculty of Management Sciences, Yala Rajabhat University
“Business Administration and Communication Arts for Sustainable Local Development”

July 20, 2023

Data Protection Act B.E. 2562 of the human resource specialist first. To know the scope of knowledge, understanding, and the level of importance of human resource professionals. In order to get more effective research results

2. Should study from a large organization or organizations that deal with large amounts of data, such as banks, etc., because they are organizations that have to set a strict personal data protection policy. will make it possible to know more about the operational guidelines that are in line with the Personal Data Protection Act B.E. 2562

3. Quantitative research methods may be used such as surveys, valuations. Explanation by focusing on presenting statistical numbers such as percentage, mean and standard deviation etc.

References

- Business Prachachat (2020). The Cabinet ordered the postponement of the Personal Data Protection Act for another year. Accessed on 23 July 2022, from <https://www.prachachat.net/ict/news-463146>.
- Chadapa Suksamai. (2019). Why? Businesses must adapt accordingly. Personal Data Protection Act. Retrieved on July 23, 2022, <https://daa.co.th/en/news/audit-news/item/335-why-businesses-must-adapt-according-to-the-Personal-Data-Protection-Act.html>.
- Deloitte. (2018). How Financial Services are taking a sustainable approach to GDPR compliance in a new era for privacy, one year on (Research report). United Kingdom: Deloitte LLP.
- Hrnote.asia. (2019). Human Resource Management: HRM. Retrieved July 23, 2022, from <https://th.hrnote.asia/orgdevelopment/th-whatishrm-190117/>
- Jatuporn Boonmei. (2020). The Impact of the Personal Data Protection Act B.E. 2562 on Banking Business. commerce in Thailand. Thammasat University Retrieved on July 23, 2022, from http://ethesisarchive.library.tu.ac.th/thesis/2020/TU_2020_6202030927_12932_13395.pdf.
- Office of the Personal Data Protection Commission. (2020). Summary Personal Data Protection Act B.E.2019. Accessed on July 23, 2022, from <https://drive.google.com/file/d/1Ni3TQFTU01eMSHNDrXnCgHhOfFnvrlzc/view>
- Personal Data Protection Act B.E. 2562. (2562, May, 27). Government Gazette, 136 (69a). Retrieved on 23 July 2022, from http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/A/069/T_0052.PDF
- Rossi, P. H., Freeman, H. E., & Lipsey, M. W. (1999). Evaluation: A Systematic Approach (6th Ed.). Thousand Oaks, CA: Sage.
- Sahathorn Petchwirojchai (2021). PDPA is what HR needs to know, how to cope with the Personal Data Protection Act. Retrieved on July 23, 2022, from <https://th.hrnote.asia/tips/pdpa-and-hr-210608/>.
- Supis Praneetpolkrang (2020). Protection of personal data. Bangkok: Somporn Phim.