



PRIMENA NOVIH TEHNOLOGIJA NA ZAPOSLENE U SRBIJI

APPLICATION OF NEW TECHNOLOGIES ON EMPLOYEES IN SERBIA

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Apstrakt

Zaštita privatnosti je pravo zagarantovano Ustavom i najvažnijim međunarodnim aktima, kao i Univerzalnom deklaracijom o ljudskim pravima, pa je tako treba posmatrati i u radnom odnosu. Zaštita privatnosti u radu i radnim odnosima podrazumeva ne samo zaštitu zaposlenog i potencijalnog kandidata, već i pravo da budu obavešteni i da sami odluče o sadržaju podataka koji se obrađuju, uz obavezu da podaci na osnovu kojih se procenjuje njihov rad i sposobnost budu tačni. Evropski sud je mnogo puta potvrdio da su pozivi iz poslovnog radnog prostora, elektronska pošta poslata sa radnog mesta i podaci dobijeni korišćenjem interneta u lične svrhe, privatni podaci. Primenom Zakona o radu u radnim odnosima treba obratiti pažnju na probleme potencijalnih kandidata i zaposlenih koji su sve veći: treba sprečiti preobimno i previse lično prikupljanje podataka pri procesu selekcije radnika, kao i podataka o zaposlenima, treba obezbediti zaposlenom da se upozna sa podacima koje poslodavac ima o njemu, ograničiti poslodavca da pregleda elektronsku poštu, da ima nadzor nad upotrebom interneta, nadzor nad telefonskom komunikacijom zaposlenih, video nadzor. Izvesna kontrola od poslodavca nad zaposlenima i radnim procesom mora postojati, ali i mora biti u skladu sa opštim principima zaštite privatnosti i uređena unapred utvrđenim i prihvaćenim pravilima.

Ključne reči: Ustav, zaposleni, radni odnos, kontrola, nove tehnologije, poslodavci

Abstract

Protection of privacy is a right guaranteed by the Constitution and the most important international acts, as well as by the Universal Declaration of Human Rights. That it needs to be considered, also, in the employment's relationships. Privacy protection in work and in employment includes not only the protection of employees and potential candidates, but also the right to be informed and to decide on the content of the data to be processed, with the obligation that the data be accurate. The European

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Court has many times confirmed that the calls from the business workplace, e-mails sent from work and the data obtained using the Internet for personal purposes, personal data. The application of the Labour Act in labor relations should pay attention to the problems of potential candidates and employees are getting bigger: to be prevented overeating and too personal data collection in the selection process of workers, as well as data on employment, to be obbezbediti employee to become familiar with the information that the employer concerning himself, restrict the employer to review the e-mail that has control over the use of the Internet, control of telephone communication staff, video surveillance. Certain control by the employer over the employee and the work process must exist, and must be in accordance with the general principles of protection of privacy and decorated pre-established and accepted rules.

Keywords: constitution, employee, employment, control, new technology, employers

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