LEGAL ASPECTS REGARDING THE MONITORING OF EMPLOYEES IN THE WORKPLACE

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ABSTRACT: The evolution of technology offers employers the possibility to permanently monitor the employees’ activity. The legal provisions concerning the employer’s right to use monitoring systems consisting of electronic communications means and/or video surveillance in the workplace is a topic of great interest. The present study aims to analyze the legal framework allowing employers to monitor employees in the workplace but also highlight the consequences of violating legal provisions concerning this topic.

KEYWORDS: employer; monitoring; employee; workplace; activity.

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Currently, technology allows employers to monitor their employees’ activity in order to see to what extent they are correctly and efficiently fulfilling their obligations that they committed to through individual labor contracts, not only to improve the quality of work but also for security reasons. Employee supervision is often conducted through surveillance cameras, but it is also possible to use different means with less exposure. One means of monitoring consists of supervising employees’ internet usage. This is how the employer will be able to see what websites the employee is visiting and decide whether these websites are related or not to their work attributions.

Most of us have certainly been contacted by a company via phone call, or have attempted to contact a service or business, and were communicated the message that in order to improve services, the call would be recorded and continuing the conversation represents the agreement to be recorded.

Recording employees’ phone calls can help employers evaluate their work but also to improve their strategies of attracting customers and represents a different means of monitoring the workforce.

Another employees might rather be interested in knowing how much time employees spend talking on the phone and whether these conversations are relevant for their activity in the workplace or not.

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