

EMPLOYEE ACCESS RIGHTS

Do individuals have the right to access their personal information?

Data protective jurisdictions tend to guarantee the right of individuals to contact an organization directly and find out whether personal data is being tracked. Access procedures and acceptable exceptions (such as business secrecy) are determined by law and may be subject to the control of data protection authorities. In the context of HR, personal data access requests can include information tracked by the company as well as data tracked by third-party solutions, such as background check vendors.

Employees and applicants in Serbia have the right to request, obtain and copy data relating to their personal information. In addition, individuals have the right to require employers (and other data controllers) to correct, modify, update or delete their data.



In some cases, individuals may be legally restricted from accessing and copying their data. One example of this is when the employer would be prevented from performing duties within their area of competence.

Individuals can require the deletion of their personal data when:

- the purpose of the data collection isn't clearly specified;

- the purpose of the processing has changed, but the requirements to meet the changed purpose has not been met;
- the purpose has been achieved or is no longer needed;
- the data is being collected in a way that is illegal;
- the amount of personal data collected is disproportionate to the purpose;
- the data is incorrect and is unable to be corrected; or,
- the data is processed without proper consent or without legal authorization based on the law.

Individuals can request the interruption and temporary suspension of their data from being processed if challenging the correctness, completeness or accuracy of the information. In the event that personal data is suspended from processing based on an individual's request, the individual will not have the right to access their data during the interruption.

Employers (and other data controllers) are responsible for responding to requests relating to an individual's data. If the employer does not respond to an employee's request relating to their personal information within 15 days of submission, and does not allow access and deliver the copy of data within 30 days, or if the employer rejects or dismisses the request, the individual whose data was collected has the right to appeal to Serbia's data protection Commissioner.



HR Best Practices: When processing an access request from an employee, make sure not to disclose information connected to other employees. Employers should

establish official procedures and contacts for employee requests.



Last updated April 2018.

DISCLAIMER: The information contained in this form is for general information purposes only and is not intended to be a source for legal advice and should not be relied upon as such. This information is not intended to create, and the receipt of it by the reader does not constitute, an attorney-client relationship. Organizations or individuals receiving this document should always seek the advice of competent counsel in their home jurisdiction. Laws may change and PeopleDoc cannot guarantee that all the information in this form is current or correct. PEOPLEDOC DOES NOT GIVE ANY EXPRESS OR IMPLIED WARRANTIES OF MERCHANTABILITY, SUITABILITY, OR COMPLETENESS OF THIS INFORMATION. TO THE EXTENT PERMITTED UNDER APPLICABLE LAW, NEITHER PEOPLEDOC, NOR ITS AGENTS, OFFICERS, EMPLOYEES, OR AFFILIATES, ARE LIABLE FOR ANY DIRECT, INDIRECT, INCIDENTAL, SPECIAL, EXEMPLARY, OR CONSEQUENTIAL DAMAGES (INCLUDING PROCUREMENT OF SUBSTITUTE GOODS OR SERVICES, LOSS OF USE OR PROFITS, OR BUSINESS INTERRUPTION), EVEN IF PEOPLEDOC HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, ON ANY THEORY OF LIABILITY, WHETHER IN CONTRACT, STRICT LIABILITY, OR TORT, ARISING IN ANY WAY OUT OF THE USE OF OR INABILITY TO USE THIS INFORMATION.

The content of this document is proprietary and confidential information of PeopleDoc. It may not be distributed to any third party without the written consent of PeopleDoc. © 2018 PeopleDoc Inc. Do not reproduce without the written permission of PeopleDoc Inc.

PeopleDoc HR Compliance Assist

HR Compliance Assist helps PeopleDoc clients proactively and effectively manage compliance of their HR files and employees' data with foreign laws and regulations. Led by PeopleDoc's Chief Compliance Officer, the HR Compliance Assist team relies on a network of internal and external lawyers to provide clients with best practices and recommendations on topics such as HR document retention, employee data privacy, electronic signature and electronic archiving. HR Compliance Assist also provides local compliance monitoring and alert services in select countries where PeopleDoc's customers have employees. HR Compliance Assist is a service available to PeopleDoc customers.

PeopleDoc is on a mission to make the difficult job of HR easier. The PeopleDoc HR Service Delivery platform helps HR teams more easily answer employee requests on demand, automate employee processes, and manage compliance across multiple locations. PeopleDoc cloud solutions include case management, process automation and employee file management.

100% software as a service, PeopleDoc solutions integrate with existing HR systems, can be implemented in 8-12 weeks, and are designed for agile ongoing use by HR teams serving diverse workforces. More information is available at www.people-doc.com.



HR Compliance Assist

www.hrcomplianceassist.com - hrcomplianceassist@people-doc.com