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DIGITAL TECHNOLOGIES: FORMS OF INTERACTION BETWEEN AN EMPLOYEE AND AN EMPLOYER IN MODERN UNIVERSITIES OF THE RUSSIAN FEDERATION

Abstract. The employment sphere, being one of the most significant segments of society, is undergoing changes in the context of the use of new digital technologies. Due to the specifics of the education sector, electronic forms of interaction between an employee and an employer in the digital economy are of particular interest on the example of scientific and pedagogical workers of modern universities, especially in terms of the existence of factors that impede the digital transformation of the employment sector. The purpose of the study was to determine the legal possibility of introducing the practice of electronic forms of interaction between employees and employers on the example of scientific and pedagogical workers of modern universities. The work used the methodology of a comprehensive study, including methods of document analysis, comparative analysis, secondary use of sociological, economic and medical data. The results of the study show that the education sector in the Russian Federation is not an advanced industry for the introduction of digital technologies. However, according to research data, educational institutions of higher education are actively introducing electronic services and resources into their activities: electronic library systems (97.8%), electronic versions of textbooks (95.8%), training computer programs on certain subjects or topics (92, 3%), as well as special software for solving specific tasks - 90.8%, electronic document management systems - 84.1%. The specifics of work in educational organizations determine the need for the development and implementation of specific digital transformation tools in modern universities.

Key words: transformation, labor function, digitalization of education, distance work, scientific and pedagogical workers, digital competencies.

Introduction. The digital economy continues to develop at an incredible speed, thereby contributing to the collection, use and analysis of huge amounts of machine-readable information (digital data) about everything. United Nations data confirms that the volume of global traffic based on the Internet Protocol (IP), which gives an approximate idea of the scale of data flows, has grown from about 100 gigabytes per day from 1992 to 2020 to more than 45,000 GB per second. In the world as a whole and in Russia in particular, the advantages of using digital technologies in various fields of activity are obvious. Today, 46% of the heads of Russian organizations plan to expand the use of digital technologies, while every third - within the next 5 years. In the world, more than half of the top managers of large companies hold the same opinion (54% by the end of 2020 and 56% in 2021) [1].

Changing technical and technological conditions have an impact on the employee's ability to work, that is, directly on the ways and forms of his professional activity. The achievements of the digital economy in the practice of legal regulation of labor and other directly related relations should be widely applied in the legalization of these processes at the legislative level in the practice of concluding, amending and terminating employment contracts, at the level of local regulations of the employer, in the introduction of electronic document management, as well as in the performance of legally significant actions by the parties to labor relations using digital technologies.

The real reality, according to I.A. Kostyan, A.M. Kurenny, G.V. Khnykin [2], forces the legislator to take steps to expand the possibilities of using electronic technologies in the field of intensive labor. Since none of the areas of the modern economy can avoid the influence of computerization, both

employers and employees will objectively have to take this into account in their activities when introducing electronic document management, electronic workbooks.

In connection with the above, the question of the practice of introducing electronic forms of interaction between an employee and an employer on the example of scientific and pedagogical workers of modern universities in the Russian Federation is interesting for analysis.

Materials and methods of research. The methodology of complex research is used in the work, including methods of document analysis, comparative analysis, secondary use of sociological, economic and medical data. The study examined data from the official websites of modern universities, national and foreign: ITMO, Toraigyrov University (Republic of Kazakhstan). In addition, the normative acts of the in the field of legal regulation of the use of artificial intelligence in labor relations are analyzed.

As part of the study of the possibility of scientific and pedagogical workers of modern universities performing their work duties electronically, an analysis of indicators characterizing the use of information and communication technologies in educational organizations was carried out. The study uses data from Rosstat, the Ministry of Education of Russia, the Ministry of Education, the Federal Treasury, the OECD, as well as the development of the Institute of Statistical Research and the Economics of Knowledge of the National Research University "Higher School of Economics".

Until relatively recently, the sphere of labor relations practically did not recognize the achievements of the digital economy. As an exception, we can name, perhaps, only the sphere of legal regulation of the work of remote workers, for whom it is possible to formalize the emergence, change or termination of labor relations using electronic documents (using an enhanced qualified digital signature, but with mandatory duplication of documents on paper) (of the Labor Code of the Russian Federation) [3].

The legislation of the CIS countries is also fearfully introducing norms on electronic forms of registration of labor relations, if it does so, then only in terms of legal regulation of the work of remote workers. For example, in the Labor Code of the Republic of Kazakhstan dated November 23, 2015.

No. 414-V, which entered into force on January 1, 2016, the norms on the regulation of the work of remote workers are summarized in Article 138 "Remote work". However, these norms do not provide for the execution of the signing, modification or termination of an employment contract by exchanging electronic messages.

By the Law of the Republic of Belarus No. 219 of July 17, 2019 "On Amendments to Laws", Chapter 25.1 was introduced into the Labor Code of the Republic of Belarus, entitled "Peculiarities of regulating the work of workers engaged in remote work". In accordance with part 1 of Article 307 of the Labor Code of the Republic of Belarus, remote work is considered to be work that an employee performs outside the employer's location using technical means of communication to perform this work and interact with the employer. According to the Labor Code of the Republic of Belarus, electronic interaction between an employer and an employee performing remote work covers not only the exchange of electronic documents (for example, if an employee familiarizes himself with documents for signature, when concluding additional agreements on changing an employment contract), but also electronic messages, including SMS messages, records, files. If there is such a thing, then they are defined in the employment contract. This norm should be recognized as practical. Non-casual work contact (especially in messages, SMS or e-mail) is accompanied by the creation of electronic documents [4].

It should be noted that the current labor legislation of the Russian Federation does not want to depart from the traditional and familiar forms of interaction between an employee and an employer, which clearly contradicts the ideas of modern society about digitalization. The forms of interaction between employees and employers are fixed at the legislative level in the Labor Code of the Russian Federation and, when interpreted literally, do not imply the use of any digital technologies. For example,

only in the Labor Code of the Russian Federation the phrase "under signature" (in connection with the employer's obligation to familiarize the employee with a particular document) is mentioned 17 times (in 14 articles).

There are several reasons to explain this.

Firstly, the dynamics of the spread of advanced digital technologies in various fields, as a rule, outstrips the speed of transformation of the regulatory framework. However, judicial practice sometimes (rather, as an exception to the general rule) has its own ideas about the formalization of the expression of will and recognizes the use of electronic communication between an employee and an employer. We are talking about submitting an application for dismissal by sending a telegram, notifying an employee of the employer about absenteeism, about using software for a video conversation. All this naturally pushes the development of the use of electronic services for the performance of employee duties and the digital transformation of legal regulation of labor.

Secondly, some of the duties of an employee by their nature imply their fulfillment in person with direct contact with the employee. Connected with the special functions of labor relations, they will undoubtedly remain "in real life" for a long time. First of all, this concerns the passage of medical examinations. Therefore, currently, judicial practice recognizes it illegal to undergo medical examinations through the use of telemedicine technologies (devices that collect anamnesis and transmit data about an employee to a doctor without direct contact) [5].

Thirdly, the lack of information about existing solutions and potential effects from use (readiness for digital transformation) can slow down the transformation of electronic forms of performance of employees' duties. As an example of a promising solution to the problem of messaging between employees and an employer, we can cite the draft law on legally significant communications of the parties to an employment contract. The nearest prospect for the development of labor legislation in this part should be the mechanism for the use of an electronic signature by an employee - both in relation to an individual employment contract and in relation to social partnership [6]. At the same time, employers should understand that the introduction of electronic messages should significantly expand the "information section" of the employment contract, in particular including through the inclusion of questions about non-disclosure of information [7], as well as about ways to choose the form of employee interaction with the employer, etc.

The specifics of the education sector determine the specific tasks of legal regulation of labor relations in this area. On the one hand, the national project of the Russian Federation "Education" calls digitalization of higher education a priority. Indeed, we can see its results: scientific and pedagogical workers of modern universities develop online courses, use digital data visualization tools, can apply for the use of multi-media technologies, have the opportunity to book an audience through mobile devices; the schedule of classes is now available for viewing through Internet portals, and does not hang on the wall at the dean's office; you can take advanced training courses comfortably - through online platforms; and teachers can even fill out and submit reports using computer programs and e-mail.

On the other hand, according to researchers, the education sector in Russia cannot serve as an advanced industry for the introduction of digital technologies (the financial and industrial sectors are in the first place), which is largely determined by dependence on budget financing. Naturally, this affects the speed of implementation of technological solutions in the field of education, including the use of digital technologies in the implementation of professional activities by scientific and pedagogical workers. In other words, it is a deterrent to the digital transformation of education.

The regulation of the employee's labor duties related to the implementation of professional activities is regulated, as a rule, at the federal level (special federal laws, professional standards) by listing the main areas of activity. Thus, the Federal Law "On Education in the Russian Federation" (part 1 of

Article 48) establishes that one of the duties of teaching staff is to carry out professional activities at a high professional level, as well as the use of forms and methods of teaching and upbringing that ensure high quality. Of course, this is the legal basis for the use of new digital technologies in the educational process [8].

At the same time, the education sector does not have a lot of tools for digital transformation in the field of hiring. At the federal level, the legislator does not establish any rules regarding the introduction of digital technologies into the legal regulation of the work of scientific and pedagogical workers of modern universities.

Legal regulation of labor in modern universities at the local level allows you to specify responsibilities in connection with the specifics of the employer's activities and capabilities, and therefore, promptly introduce new technologies and transform the duties of the employee himself. Local regulation is designed to ensure the flexibility of regulation and thereby its stability and relevance in rapidly changing conditions, assumes flexible regulatory mechanisms that allow for faster implementation in real life. And in this case, there is a tendency to increase the role of local regulation of labor relations in the conditions of digitalization [9].

The analysis of normative legal acts, literature and information from the official websites of higher educational institutions allowed us to conclude about the development of local regulation of labor relations in modern universities, especially in terms of the introduction of digital economy achievements. To date, scientific and pedagogical workers of modern universities often perform their duties within the framework of professional activity, using electronic services and programs.

During the research of the Higher School of Economics on the use of digital technologies by scientific and pedagogical workers of modern universities, it turned out that the vast majority of educational institutions of higher education introduce electronic resources: electronic library systems (97.8%), electronic versions of textbooks (95.8%), training computer programs on individual subjects or topics (92.3%). Almost as actively, educational organizations are introducing electronic services to ensure the proper performance of labor duties arising from the status of an employee: special software tools for solving managerial, organizational and economic tasks - 90.8%, electronic document management systems – 84.1% [10].

Results and their discussion. An analysis of regulatory legal acts and a review of information from the official websites of modern universities have shown that most of the issues of the introduction of digital technologies in the field of recruitment in modern universities are settled at the local level. This fact is fully consistent with the conclusions of Lushnikov A.M., Lushnikova M.V. [11]. Empirical studies have shown that the field of education has special tools of digital transformation. These include: electronic library systems, electronic versions of textbooks, training computer programs on individual subjects or topics, special software tools for solving managerial, organizational and economic tasks, electronic service "Teacher's Personal Account".

It is worth agreeing with the data presented in the study of the Higher School of Economics that the low level of budgeting slows down the processes of digitalization of the education sector [12].

However, this is not the only reason for the preservation of traditional forms of relations between the parties of labor relations. Firstly, some of the duties of scientific and pedagogical workers, for example, the obligation to undergo an annual medical examination, by their nature cannot be transferred to an electronic format. Secondly, the lack of skills and abilities to use modern electronic resources. Here it is worth agreeing with the OECD data. Measuring the Digital Transformation: A Roadmap for the Future [24] that the lack of digital competencies and the low level of IT literacy of employees in any industry is seen as an obstacle to the digitalization of the industry, and digital competencies themselves have become indicators of measuring the digital transformation of the industry.

In this regard, the issue of digital competencies of scientific and pedagogical workers of modern universities, necessary for the digital transformation of the sphere of work, is interesting for analysis and further improvement [13].

In educational organizations, innovative methods of the educational process are formed in the form of a dialogue, with the help of which students will learn to express their thoughts, analyze problem situations and find effective ways to solve them. Thanks to such methods, the level of education, the development of students will increase, the skills and abilities that they use in their further professional activities will be formed.

Lectures are held in the form of a conversation with elements of discussion, brainstorming, and exchange of opinions. This allows students to engage in a conversation, conduct a collective study of problems, and exchange opinions. This method of educational discussions is effective when studying complex and voluminous material. Students can be divided into small subgroups (5-7 people each) and offer certain economic or other situations for consideration. Thanks to the methods of educational discussions, the studied materials are not only well consolidated, but also the skills of using students' own experience, the ability to transfer knowledge from one area to another and the development of communicative abilities, team spirit, and critical thinking are acquired [14].

The basic concept of the following method is the case. A case is a description of a complex situation with accompanying facts. In order to understand them, it is required to divide it into separate relatively independent parts, and then analyzing each part, combine the conclusions to obtain the whole picture. Thanks to the case study method, certain tasks can be solved: identifying the essence of the problems of a particular situation; determining its structure, the factors that caused the occurrence of this situation and its further modeling; building an assessment system; predicting the upcoming state, developing recommendations and an action program to resolve a specific situation.

In classes using this method, various situational tasks, production situations that can be periodically encountered at the enterprise can be applied. For example, in the course of the discipline "Enterprise Economics", production situations are applied on the following topics: "Calculation of the cost of production", "Profitability and profit – indicators of the effectiveness of the organization", "Wage system according to the tariff" . The use of this method of situational analysis contributes to the development of analytical thinking among students. As a result, the student receives not only knowledge, but also professional skills [15].

The project method is usually used in the teaching of economic disciplines as an innovative one. Innovative educational project activity is the most effective form of organization of the educational process and is aimed at the development of cognitive interests and creative abilities of students. Thanks to this method, the technology of presentation of various creative works (reports, reviews, abstracts, reports on professionally oriented topics) is quickly mastered. The project method involves solving a specific problem, which provides, on the one hand, the use of a variety of teaching methods and tools, and on the other hand, the combination of specific knowledge and skills from various fields of science, technology, engineering and creative industries.

Thanks to such conditions, students act as developers when they use a computer as an instrument of economic cognition, gain access to many information, interpret and systematize their own knowledge and present this knowledge to other students. The advantage of computer presentations. This is an acceleration and an increase in the speed of classes, the constant availability of the necessary information before the eyes of students and a return to the necessary information at any stage of the educational process, if necessary, which contributes to better assimilation of new material [16].

Criteria for evaluating completed projects include:

- compliance with clear requirements for the design of the work;

- disclosure of topics in full;
- a large amount of information used that goes beyond the scope of the program;
- a clear volume of the literature used;
- logical presentation, persuasiveness of reasoning, originality of thinking;
- accessibility, consistency and freedom of public presentation of the content and results of the study;
- understanding of the essence and objectives of the questions asked, conciseness and clarity of answers.

The new educational standards are competence-oriented, which means project-based teaching methods, testing of various forms of work, which are based on the independence and responsibility of students themselves for learning outcomes.

The competence approach is interdisciplinary and systemic, it contains both personal and activity aspects. Based on the competence approach, the student develops the necessary and necessary competencies, which are an integral part of his activity as a future specialist and one of the main indicators of his professionalism, as well as a necessary condition for improving the quality of vocational education [17].

The introduction of a new model of education focused on achieving the best results requires improvement of both the management system, methodological work, as well as approaches to the design of classes, their content, development and implementation of competence-oriented tasks. But we must not forget that an important role is assigned to control and measuring materials, which involve monitoring the results of not only the level of knowledge, but also the level of competence. Competence-oriented tasks should have a practical orientation, social and personal significance and correspond to the level of education. Such tasks allow you to imagine how the acquired knowledge and skills can be applied in practice.

Today, with the development of higher education, there is a change in approaches to determining its content, which carries the idea of developing a student's personality. The integration of Russian education into the European system of higher education is hindered by the problem of training specialists. While studying at the technical university, students develop an understanding and thinking that characterizes the professional orientation of the individual. To train engineers the traditional understanding of higher professional education as the assimilation of a certain amount of knowledge based on the teaching of fixed subjects is outdated.

Tomorrow's engineer should develop productive thinking with an emphasis on novelty, search and formulation of problems related to the personal qualities of a specialist.

The use of pedagogical technologies in the educational process makes it possible to organize competence-oriented training at the enterprise, which will be based on such elements of personal development: the right to develop a personal attitude to the studied, the right to choose interpretations of the studied phenomena, subjects, teaching method, assimilation, source of information, level of assimilation [18].

The competence-oriented approach of the educational process involves the construction of an educational text, didactic material, methodological recommendations for its use, types of educational dialogue, forms of control over the student's personal development in the process of acquiring knowledge. If there is a didactic provision that implements the principle of subjectivity of education, it is possible to raise the question of building a competence-oriented process.

Currently, distance learning is intensively developing all over the world. The leading countries in this field are the United States of America, Canada, Great Britain, Norway, and a number of Latin American countries. During this time, higher educational institutions of these countries have successfully

worked out the technology of distance education. In the aftermath of the coronavirus pandemic, the development of distance (electronic) education in the Russian Federation is currently a priority area of state policy.

The versatility and complexity of the distance education system in the context of a pandemic require high-quality work of all its constituent elements. The advantages of distance learning are its new functions, the expansion of opportunities and the service of providing a large number of educational services to students distributed across various market segments and territories, as well as the use of a flexible system of continuing education.

Distance learning solves important tasks of improving the quality of education of those specialists who live or work in different regions of Russia, while educational centers are concentrated mainly in large cities.

What does the transition to distance learning give? Firstly, it is an opportunity to introduce modern information technologies and new approaches to the educational process in universities, allowing all participants of the educational process to immerse themselves in the information space of the university, while maintaining a high-quality level of education. Secondly, it increases the competitiveness of specialists at. Thirdly, it develops the mobility of the population and the information space of users.

Universities can independently develop and apply modern information and communication technologies, make the learning process open, understandable and as close to reality as possible [19].

Conclusion.

The digital transformation of the legal regulation of the work of scientific and pedagogical workers of modern universities, on the one hand, simplifies the interaction between them as between the parties of labor relations, on the other hand, requires a cardinal change in the field of mastering digital competencies, as well as the search, development and application of new digital tools.

Electronic services "Teacher's Personal Account" can be attributed to the tools of digital transformation of the legal regulation of the work of scientific and pedagogical workers of modern universities.

Thus, the analysis of the use of digital technologies in the legal regulation of labor and other directly related relations of scientific and pedagogical workers of modern universities allowed us to draw the following conclusions. The study of the possibility of digital transformation should be done from the positions of several approaches. Difficulties in the development of new digital competencies by scientific and pedagogical workers restrain the processes of digital transformation of the legal regulation of labor of this category of employees. The axiological approach revealed that the need for scientific and pedagogical workers to duplicate statements and reports on paper makes it more difficult to determine the value of using digital technologies, and, as a result, reduces the level of their integration into the process of communication with the publisher.

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ЦИФРЛЫҚ ТЕХНОЛОГИЯЛАР: РЕСЕЙ ФЕДЕРАЦИЯСЫНЫҢ ҚАЗІРГІ ЖОҒАРЫ ОҚУ ОРЫНДАРЫНДАҒЫ ҚЫЗМЕТКЕР МЕН ЖҰМЫС БЕРУШІНІҢ ӨЗАРА ӘРЕКЕТТЕСУ ФОРМАЛАРЫ

Андатпа. Еңбек жалдама саласы қоғам өмірінің ең маңызды сегменттерінің бірі бола отырып, жаңа цифрлық технологияларды қолдану жағдайында өзгерістерге ұшырайды. Білім беру саласының ерекшелігіне байланысты қазіргі заманғы университеттердің ғылыми-педагогикалық қызметкерлерінің мысалында цифрлық экономика жағдайында қызметкер мен жұмыс беруші арасындағы өзара әрекеттесудің электронды формалары, әсіресе жалдау саласының сандық өзгеруіне кедергі келтіретін факторлардың болуы ерекше қызығушылық тудырады. Зерттеу мақсаты қазіргі университеттердің ғылыми-педагогикалық қызметкерлерінің мысалында қызметкерлер мен жұмыс берушілер арасындағы өзара әрекеттесудің электрондық формаларының тәжірибесін енгізудің құқықтық мүмкіндігін анықтау болды. Жұмыста құжаттарды талдау, салыстырмалы талдау, әлеуметтік, экономикалық және медициналық деректерді екінші реттік пайдалану әдістерін қоса алғанда, кешенді зерттеу әдістемесі қолданылды. Зерттеу нәтижелері Ресей Федерациясындағы білім беру саласы цифрлық технологияларды енгізудің алдыңғы қатарлы саласы емес екенін көрсетеді. Алайда, зерттеулер деректері бойынша жоғары білім беретін білім беру ұйымдары өз қызметіне электрондық сервистер мен ресурстарды: электрондық кітапхана жүйелерін (97,8%), оқу құралдарының электрондық нұсқаларын (95,8%), жекелеген пәндер немесе тақырыптар бойынша оқытатын компьютерлік бағдарламаларды (92,3%), сондай-ақ жекелеген міндеттерді шешуге арналған арнайы бағдарламалық құралдарды – 90,8%, электрондық құжат айналымы жүйелерін-84,1% белсенді енгізуде. Білім беру ұйымдарындағы еңбек қызметінің ерекшелігі қазіргі заманғы университеттерде және цифрлық өзгерістің нақты құралдарын әзірлеу және енгізу қажеттілігін анықтайды.

Негізгі сөздер: өзгеріс, еңбек функциясы, білім беруді цифрландыру, қашықтық еңбек, ғылыми-педагогикалық қызметкерлер, сандық құзыреттер.

ЦИФРОВЫЕ ТЕХНОЛОГИИ: ФОРМЫ ВЗАИМОДЕЙСТВИЯ РАБОТНИКА И РАБОТОДАТЕЛЯ В СОВРЕМЕННЫХ ВУЗАХ РОССИЙСКОЙ ФЕДЕРАЦИИ

Аннотация. Сфера найма труда, являясь одним из самых значительных сегментов жизни общества, претерпевает изменения в условиях применения новых цифровых технологий. В силу специфики сферы образования особый интерес вызывают электронные формы взаимодействия между работником и работодателем в условиях цифровой экономики на примере научно-педагогических работников современных университетов, особенно в части существования факторов, препятствующих цифровой трансформации сферы найма. Цель исследования состояла в определении юридической возможности внедрения практики электронных форм взаимодействия между работниками и работодателями на примере научно-педагогических работников современных университетов. В работе использована методология комплексного исследования, включая методы анализа документов, сравнительного анализа, вторичного использования социологических, экономических и медицинских данных. Результаты проведенного исследования показывают, что сфера образования в РФ не является передовой отраслью по внедрению цифровых технологий. Однако по данным исследований образовательные организации высшего образования активно внедряют в свою деятельность электронные сервисы и ресурсы: электронные библиотечные системы (97,8%), электронные версии учебных пособий (95,8%), обучающие компьютерные программы по отдельным предметам или темам (92,3%), а также специальные программные средства для решения отдельных задач – 90,8%, системы электронного документооборота – 84,1%. Специфика трудовой деятельности в образовательных организациях определяет необходимость разработки и внедрения в современных университетах и специфических инструментов цифровой трансформации.

Ключевые слова: трансформация, трудовая функция, цифровизация образования, дистанционный труд, научно-педагогические работники, цифровые компетенции.

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