



European Labour Authority

DATA PROTECTION OFFICER

RECORD OF PROCESSING OPERATIONS ON PERSONAL DATA

DPR-ELA-2022-0016: Management of missions and authorised travel, including the online tool MiPS (Missions Processing System)

1 PART 1: PUBLIC - RECORD (ARTICLE 31¹)**1.1 GENERAL INFORMATION**

Record reference	DPR-ELA-2022-0016
Title of the processing operation	Management of missions and authorised travel, including the online tool MiPS (Missions Processing System)
Controller entity	European Labour Authority, Resources Unit (ELA Resources Team)
Joint controllers	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> YES, fill in details below
Processor(s)	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> YES, fill in details below
Internal organisation(s)/entity(ies) Names and contact details	<input type="checkbox"/> N/A <input type="checkbox"/> YES
External organisation(s)/entity(ies) Names and contact details	<input type="checkbox"/> N/A <input type="checkbox"/> YES Microsoft Ireland South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland. Office for the Administration and Payment of Individual Entitlements of the European Commission (PMO) Avenue de Tervueren 41 / Tervurenlaan 41 1049 Bruxelles/Brussels Belgium <u>External travel agency:</u> American express global business travel Lenneke Marelaan 6, 1932 Zaventem (Brucargo)
Data Protection Officer Name and contact details	Laura NUNEZ BAREZ Landererova 12, 811 09 Bratislava I Slovakia Email: data-protection@ela.europa.eu
Corporate Record	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Language of the record	English
Record Model	<input checked="" type="checkbox"/> N/A

¹ Pursuant to **article 31** of the new data protection regulation for EU institutions and bodies (**Regulation (EU) 2018/1725**) each controller and processor have to maintain a **record of processing activities** under its responsibility that contains at least the information listed under that article.

1.2 PURPOSE AND DESCRIPTION OF THE PROCESSING**1.2.1 Purpose**

The European Labour Authority (ELA) collects and uses personal information to enable travel arrangements and the payment and /or reimbursement of resulting expenses.

In order to ensure the most cost-effective management of the missions of its staff, ELA relies on external service providers.

The mission management activity contains several processing operations carried out by contractors selected following procurement procedures.

1.2.2 Processing for further purposes

- Archiving in the public interest
- Scientific or historical research purposes
- Statistical purposes
- N/A

Safeguards in place to ensure data minimisation

- Pseudonymisation
- Any other, specify

1.2.3 Modes of processing

1. Automated processing (Article 24)
 - a. Computer/machine
 - i. automated individual decision-making , including profiling
 - ii. Online form/feedback
 - iii. Any other, specify
Online tool MiPS (Missions Processing System), process owned by the European Commission, Administration and Payment of Individual Entitlements (PMO) and covered by record "DPR-EC-00990 - Management of missions and authorised travel, including the online tool MiPS (Missions Processing System).
2. Manual processing
 - a. Word documents
 - b. Excel sheet
 - c. Any other, specify
Email exchanges with mission performers, external contractors and organisers
3. Any other mode, specify

Description**1.2.4 Storage medium**

1. Paper
2. Electronic
 - a. Digital (MS documents (Word, excel, Powerpoint), Adobe pdf, Audiovisual/multimedia assets, Image files (.JPEG, .PNG, etc.))
 - b. Databases
 - c. Servers
 - d. Cloud

- 3. External contractor premises
- 4. Others, specify

Description:

1.2.5 Comments on the processing of the data

The process of personal data is done through the MiPS tool.
The process includes the following phases:

Phase 1: Preparation and introduction of the mission order authorized by the line manager of the staff travelling.

Phase 2: Reservation and purchase of transport tickets (plane, train, etc ...), reservation of the accommodation(hotel...) if necessary, possible reservation of the rental car by the mission performer / the person who makes the trip or through ELA's approved travel agency.

Phase 3: Possible use of the credit card (mixed-use, business and/or personal credit card) made available to the mission performer by ELA to pay for any expenses incurred on the mission/authorised travel. The mission performer shall be covered by an insurance and assistance contract signed by ELA.

Phase 4: Preparation of the statement of expenses by the mission performer upon his return, signature by the competent authority and transmission to the European Commission (PMO) of the PMO via MIPS for verification. Liquidation and payment of mission expenses done by ELA Finance Team.

1.3 DATA SUBJECTS AND DATA CATEGORIES

1.3.1 Data subjects' categories

1. Internal to organisation	<input type="checkbox"/> N/A	
	<input checked="" type="checkbox"/> Yes	ELA Staff
2. External to organisation	<input type="checkbox"/> N/A	
	<input checked="" type="checkbox"/> Yes	External contractors

1.3.2 Data categories/fields

Data related to the mission performer:

Title of title, surname, first name, date of birth, login, personnel number, per id number, place of employment, office address, professional telephone number, professional e-mail address.

Data related to the authorized mission/travel:

Place(s) of mission/authorised travel and transit, expected times of departure and return to the place of employment, means of transport used, name of hotel, bill(s), start and end times of professional commitments at the place of mission, agenda of the mission, bank account number, budget heading to which the mission/authorised travel will be charged, MiPS mission/authorised travel number and confirmation number generated at the time of signature of the mission order/travel authorisation for approval by the authorising officer, mission report.

Other details may be provided in certain circumstances by persons going on mission/authorised travel, if they wish to receive more personalised service, mainly through their traveller profile (a travel agencies' tool englobing information which is necessary and/or useful for the management of commands; this information is formatted and/or structured by the agencies themselves): a mobile telephone number; their nationality, the date and place of issue of their passport and its expiry date; the passport and credit card number; the details of a person who may be asked to make reservations on their behalf; any preferences as regards the conditions of the trip which they might wish to be automatically taken into consideration, seat + meal.

1.3.2.1 Special categories of personal data

Indicate if the processing operation concerns any 'special categories of data' which fall(s) under Article 10(1), which shall be prohibited unless any of the reasons under article 10(2) applies:

Yes, the processing concerns the following special category(ies):

Data revealing

- racial or ethnic origin,
- political opinions,
- religious or philosophical beliefs,
- trade union membership,

Or/and,

- Genetic data, biometric data for the purpose of uniquely identifying a natural person,
- Data concerning health,
- Data concerning a natural person's sex life or sexual orientation.

Description:

Trade union membership:

In MiPS, data relating to trade union membership and the state of health of the staff member on mission may be processed.

Trade union membership data are visible when a professional travel is made at the request of a trade union. In this case, the costs of the professional travel are charged to the budget of the trade union and not to the budget of the Unit to which the person belongs.

Health data:

Data on a health problem affecting work-related travel may appear in MiPS in the following cases:

If it is authorised to make a certain travel arrangement and/or to use a certain means of transport (e.g. travel by business class) in derogation from the common rules, a comment must be added to the file on the basis of a certificate from the institution's medical service, which must be uploaded in MiPS. The medical certificate must indicate the method of travel/recommended means of transport and the date of validity, without however indicating the specific medical reason justifying the derogation.

If the person travelling requires an accompanying person for medical reasons (e.g. in the case of a visually impaired person), the mission expenses relating to his/her accompanying person are recorded in MiPS in order to be reimbursed at the rate of 100 %.

Any costs of vaccinations must be recorded in MiPS in order to be reimbursed at the rate of 100 %.

If applicable, indicate the reasons under article 10(2) allowing the processing of the special categories of data:

- (a) The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, [...].
- (b) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security[...].
- (c) Processing is necessary to protect the vital interests of the data subject or of another person where the data subject is physically or legally incapable of giving consent.
- (d) Processing is carried out in the course of its legitimate activities with appropriate safeguards by a non-profit-seeking body which constitutes an entity integrated in a Union institution or body and with a political, philosophical, religious or trade-union aim [...].
- (e) Processing relates to personal data which are manifestly made public by the data subject.

- (f) Processing is necessary for the establishment, exercise or defense of legal claims or whenever the Court of Justice of the European Union is acting in its judicial capacity.
- (g) Processing is necessary for reasons of substantial public interest, [...]
- (h) Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services [...].
- (i) Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices [...].
- (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes [...].

Additional information

1.3.2.2 Data related to 'criminal convictions and offences'

The data being processed contain sensitive data which fall(s) under Article 11 'criminal convictions and offences'	N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/>
Description:	

1.4 RETENTION PERIOD

Indicate the administrative time limit(s) for keeping the personal data per data category, and if known, specify the start/end date, or describe the specific start/end moment of each time limit:

Data category	Retention period	Optional	
		Start date/moment	End date/moment
Scanned documents	7 years		
The documents sampled	7 years		

Description

All documentation related to the mission will be kept for 7 years after last payment.
The information received by the travel agency with which ELA has a contract shall be kept in accordance with the duration laid down in the contractual provisions in force.

1.5 RECIPIENTS

Origin of the recipients of the data	
1. <input checked="" type="checkbox"/> Within the EU organization	Line managers/Authorising officer of the mission performer/Mission managers ELA Financial Team

2. <input checked="" type="checkbox"/> Outside the EU organization	European Commission (PMO) External travel agency
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Categories of the data recipients
1. <input checked="" type="checkbox"/> A natural or legal person 2. <input checked="" type="checkbox"/> Public authority 3. <input checked="" type="checkbox"/> Agency 4. <input type="checkbox"/> Any other third party, specify Specify who has access to which parts of the data:

Description

Line managers, authorising officers (and persons who have received delegations in the course of their duties, e.g. secretaries), mission managers within each Unit/Team and the respective financial unit.

PMO will have access to all data categories in order to verify the mission performers. ELA Financial Unit will only have access to the invoices and amount of reimbursement.

1.6 INTERNATIONAL DATA TRANSFERS

Transfer to third countries or international organisations of personal data	
1. Transfer outside of the EU or EEA <input type="checkbox"/> N/A, transfers do not occur and are not planned to occur <input checked="" type="checkbox"/> YES,	
Country(ies) to which the data is transferred	
2. Transfer to international organisation(s) <input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur <input type="checkbox"/> Yes, specify further details about the transfer below	
Names of the international organisations to which the data is transferred	
3. Legal base for the data transfer <input checked="" type="checkbox"/> Transfer on the basis of the European Commission's adequacy decision (<i>Article 47</i>) <input checked="" type="checkbox"/> Transfer subject to appropriate safeguards (<i>Article 48.2 and .3</i>), specify:	
2. (a) <input checked="" type="checkbox"/> A legally binding and enforceable instrument between public authorities or bodies. Standard data protection clauses, adopted by (b) <input checked="" type="checkbox"/> the Commission, or (c) <input checked="" type="checkbox"/> the European Data Protection Supervisor and approved by the Commission, pursuant to the examination procedure referred to in Article 96(2) . (d) <input checked="" type="checkbox"/> Binding corporate rules, <input checked="" type="checkbox"/> Codes of conduct , <input checked="" type="checkbox"/> Certification mechanism pursuant to points (b), (e) and (f) of Article 46(2) of Regulation (EU) 2016/679, where the processor is not a Union institution or body.	

3. Subject to the authorisation from the European Data Protection Supervisor:

- Contractual clauses between the controller or processor and the controller, processor or the recipient of the personal data in the third country or international organisation.
- Administrative arrangements between public authorities or bodies which include enforceable and effective data subject rights.

Transfer based on an **international agreement** (*Article 49*), specify

4. Derogations for specific situations (Article 50.1 (a) –(g))

N /A

Yes, derogation(s) for specific situations in accordance with article 50.1 (a) –(g) apply (ies).

In the absence of an adequacy decision , or of appropriate safeguards, transfer of personal data to a third country or an international organisation is based on the following condition(s):

- (a) The data subject has explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers for the data subject due to the absence of an adequacy decision and appropriate safeguards
- (b) The transfer is necessary for the performance of a contract between the data subject and the controller or the implementation of pre-contractual measures taken at the data subject's request
- (c) The transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the controller and another natural or legal person
- (d) The transfer is necessary for important reasons of public interest
- (e) The transfer is necessary for the establishment, exercise or defense of legal claims
- (f) The transfer is necessary in order to protect the vital interests of the data subject or of other persons, where the data subject is physically or legally incapable of giving consent
- (g) The transfer is made from a register which, according to Union law, is intended to provide information to the public and which is open to consultation either by the public in general or by any person who can demonstrate a legitimate interest, but only to the extent that the conditions laid down in Union law for consultation are fulfilled in the particular case

Description

In some cases personal data may be transferred to a third country. Indeed, the travel agency may have to transmit data concerning the staff member on mission/ authorised travel to a country outside the EU. This transfer is based on Article 48 of Regulation (EC) No 2018/1725 (appropriate safeguards). Such appropriate safeguards shall consist of binding corporate rules, codes of conduct or certification mechanisms pursuant to points (b), (e) and (f) of Article 46(2) of Regulation (EU) 2016/679.

1.7 INFORMATION TO DATA SUBJECTS ON THEIR RIGHTS

Rights of the data subjects
<i>Article 17 – Right of access by the data subject</i>
<i>Article 18 – Right to rectification</i>
<i>Article 19 – Right to erasure (right to be forgotten)</i>
<i>Article 20 – Right to restriction of processing</i>
<i>Article 21 – Notification obligation regarding rectification or erasure of personal data or restriction of processing</i>
<i>Article 22 – Right to data portability</i>
<i>Article 23 – Right to object</i>

Article 24 – Rights related to Automated individual decision-making, including profiling

1.7.1 Privacy statement

The data subjects are informed about their rights and how to exercise them in the form of the a privacy statement attached to this record.

Publication of the privacy statement

Published on website

Web location:

- ELA internal website (URL: SharePoint on Personal Data Protection)
- External website (URL: <https://www.ela.europa.eu/en/privacy-policy>)

Other form of publication, specify

Privacy Statement will be attached to the tool.

Guidance for Data subjects which explains how and where to consult the privacy statement is available and will be provided at the beginning of the processing operation.

Description:

Guidance on data subjects' rights available on ELA's main website.

1.8 SECURITY MEASURES

Short summary of overall Technical and Organizational Measures implemented to ensure Information Security:

Description:

All data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored either on the servers of the European Labour Authority or of its contractors.

The European Labour Authority's contractors are bound by a specific contractual clause for any processing operations of personal data on behalf of the European Labour Authority, and by the confidentiality obligations deriving from the General Data Protection Regulation.

In order to protect personal data, the European Labour Authority has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed.

Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.