

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: ELA Microsoft Office 365 environment

Data Controller: European Labour Authority, Resources Unit, Information and Communication Technologies and Facilities (ELA ICT Team)

Record reference: DPR-ELA-2022-0012

Table of Contents

- 1. Introduction
- 2. Why and how do we process your personal data?
- 3. On what legal ground(s) do we process your personal data?
- 4. Which personal data do we collect and further process?
- 5. How long do we keep your personal data?
- 6. How do we protect and safeguard your personal data?
- 7. Who has access to your personal data and to whom is it disclosed?
- 8. What are your rights and how can you exercise them?
- 9. Contact information
- 10. Where to find more detailed information?

1. Introduction

The European Labour Authority (hereafter 'ELA') is committed to protect your personal data and to respect your privacy. ELA collects and further processes personal data pursuant to <u>Regulation</u> (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation "*DPR-ELA-2022-0012 ELA Microsoft Office 365 environment*" undertaken by European Labour Authority, Resources Unit, Information and Communication Technologies and Facilities (ELA ICT Team) is presented below.

2. Why and how do we process your personal data?

<u>Purpose of the processing operation</u>: The ELA ICT team collects, uses and stored your personal data in Microsoft's Cloud servers with the purpose of providing the services explained here.

Microsoft Office 365 (M365) is a cloud based package of applications (Word, Excel, PowerPoint, Outlook, OneNote or OneDrive) provided by the European Labour Authority (ELA) to all ELA staff with the aim to offer more flexibility and improve communications, collaborations and the availability of resources.

The processing of personal data is carried out under the responsibility of the Head of Resources Unit at the European Labour Authority, acting as delegated ELA data controller. However, for each specific application/service, the organizing Unit/Sector/Team will act as Controller.

The processing of personal data is carried out under the responsibility of the European Labour Authority (ELA) and Microsoft as Processor.

Due to the outbreak of the coronavirus COVID-19 virus, the Authority extended the use of Microsoft Office 365, and in particular Microsoft Teams to organise virtual meetings and teleconferences with internal staff and external stakeholders.

The services of Microsoft Office 365 available to ELA staff are the following:

- Microsoft Word: MS Word is a word processor used to write any documents such as letters, reports or even posters.
- **Microsoft Excel:** A spreadsheet and charting application used for making simple lists and quick calculations to complex reporting, data crunching, pivot tables or what-if analysis.
- Microsoft PowerPoint: MS PowerPoint is mainly used for slideshows with animations but can also be used as a graphic design tool or even basic animator.
- Microsoft Outlook:
 - **Module 1 Mail**: Email tool allowing the user to organise emails and folders, flag for later, manage multiple email accounts or add signatures.
 - **Module 2 Calendar**: Manage appointments (only the user) and meetings (user and participants). Share individual and shared calendar.

- Module 3 People (Contact): Displays all the contacts in the organisation and any individual created by the user.
- **Module 4 To do (Tasks):** Helps users manage tasks, or task lists, with the ability to sync it with the planner application.
- Microsoft OneNote: A free form note tacking application organized by Notebooks, sections and pages.
- Microsoft Delve: Delve is a personal profile in Office365 where the users can upload their profile picture, description and other information like past projects, skills, schools and more. Delve also suggests content the users might be interested in based on what they have worked on before and what people close to users, in the system, are working on.

Delve does not change any permission, so the users will only see documents that they already have access to. Other users will not see your private documents either.

- Microsoft Visio: MS Visio is a diagramming and vector graphics application used for workflow design, engineering diagrams or floor plans.
- Microsoft Access: A database building Application, that can be used to create and manage forms, or relational databases.
- Microsoft Bookings: Appointment / reservation Tool. Can be used to allow others to book appointments with the user.
- **Microsoft Sway:** MS Sway is a presentation program that can be seen as a friendly alternative to PowerPoint providing a more fluid and light way to present information.
- Microsoft Project: Premium project application. It provides professional project management and resource planning and is usually used by project managers.
- Microsoft Planner: MS Planner is a project management Application used by teams.
- Microsoft Publisher: MS PowerPoint is a publishing design tool. It can be used for posters, pamphlets, newsletters or business cards.
- Microsoft Lists: The Lists Application is useful for tracking and organising information whether that is inventory and assets, a big picture project overview, newcomers onboarding or event planning.
- Microsoft SharePoint Online: SharePoint Online is Microsoft's intranet and Team file management portal. SharePoint is the base for Microsoft Teams and Communication sites (meant for organising and sharing information, news, links for internal teams or the whole organisation. E.g. ICT communication site).

SharePoint is also the file sharing repository for groups and teams using Office365 offering various permission options, folder setups and the ability to organise files by tags, external and internal sharing features and advance protection and security options.

A specific record covers this process of personal data at the European Labour Authority (Record "<u>DPR-ELA-2022-0032 ELA Intranet Collaborative Platform</u>")

 Microsoft OneDrive for Business: MS OneDrive and OneDrive for Business is the personal file storage and sharing tool in Microsoft and Office365. Each ELA user has 1TB (1'000 GB) of personal storage available.

OneDrive is also the name of the sync tool used to keep and access SharePoint and OneDrive files on the users' computer and mobile device including for offline use.

A specific record covers this process of personal data at the European Labour Authority ("Record DPR-ELA-2022-0043 Microsoft OneDrive for Business – Personal file storage at the European Labour Authority")

 Microsoft Yammer: Yammer is an online community forum and internal communications platform where users can create groups of likeminded individuals and share updates, ask questions, provide answers and keep in contact with people they otherwise may not interact with.

Yammer is a tool that is more about information sharing and community building.

Microsoft Stream: Microsoft Stream is the online video portal in Office365. It lets users
upload and manage videos, transcripts and channels as well as respond to videos with
reactions and comments.

Users can also use Streams for simple video editing and screen recording. Stream is the tool used for creating meeting recording in Microsoft Teams and for hosting live events on both Teams and Yammer.

- MS Teams: is a cloud-based application included as part of Office 365 that is provided to users with the aim to offer more flexibility and improve communications and collaboration between stakeholders and the Authority. The core capabilities in Microsoft Teams include business messaging, calling, video meetings and file sharing. Microsoft Teams also connects to meeting rooms and devices.
- Microsoft MyAnalytics: MyAnalytics is a time and productivity tracking tool that will send the users information on how much time they have spent on certain tasks as well as suggestion for being more productive. It also shows the users who they work with, how well they are focusing and guidance on overall well-being.
- Microsoft Forms: Microsoft Forms is a tool to make quizzes, questionnaires and surveys. With it, users can easily create, collaborate and share forms both internally and externally.
- Microsoft Whiteboard: Whiteboard is a big white canvas allowing users to draw, type, and add sticky notes for taking notes and brainstorming. Users can create individual or team Whiteboards. Every Microsoft Teams meeting comes with its own whiteboard that will be saved, allowing the participant to go back to it once the meeting ended.
- Microsoft Power BI: To create actionable, dynamic, and engaging data dashboards that can be shared with others.
- Viva Insights: To improve users' productivity and wellbeing.

Your personal data will <u>not</u> be used for an automated decision-making including profiling.

3. On what legal ground(s) do we process your personal data

We process your personal data, because, according to Article 5(1) (a) of Regulation (EU) 2018/1715, the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body.

Legal basis:

This process of personal data is necessary for the management of the European Labour Authority and to ensure the safety and security of ELA Premises: Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority.

Each process of personal data using Microsoft Office 365 will specify the legal basis in the relevant record.

We may process **special categories of personal data**, therefore Article 10 of the Regulation applies. In some specific procedures special categories of personal data may be processed by ELA. A specific legal basis to lawfully collect and process those type of data will be declared through the relevant record and privacy statement covering the procession operation.

Depending on the process, we process special categories of personal data, because, according to Article 10(2) of Regulation (EU) 2018/17125:

- the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union law provides that the prohibition referred to in paragraph 1 may not be lifted by the data subject;
- the 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 and social protection law insofar as it is authorised by Union law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

- the 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;
- the processing relates to personal data which are manifestly made public by the data subject;
- the processing is necessary for the establishment, exercise or defence of legal claims or whenever the Court of Justice is acting in its judicial capacity;
- the processing is necessary for reasons of substantial public interest, on the basis of Union law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;
- the 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 on the basis of Union law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;
- the 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 healthcare and of medicinal products or medical devices, on the basis of Union law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy; or
- the processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes based on Union law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

4. Which personal data do we collect and further process?

In order to carry out this processing operation, the ELA ICT team collects the following categories of personal data:

Identification data: e.g. title, name, email address, birthday, profile photo (if applicable); Contact details: e.g. office telephone number, mobile and home telephone number (optional); Personal characteristics: e.g. gender, hobbies and interests, skills and expertise, school and education (all optional);

Professional data: e.g. current position and unit, line manager, current responsibilities / projects involved;

Contacts data: Third party contacts are processed in Outlook and MS Teams

Electronic communications data: e.g. IP addresses, cookies and connection data;

User patterns: e.g. media utilisation, methods of communication;

Content data: any data content generated and controlled by ELA staff members, including chat messages (one-to-one as well as group messages) and any other personal information, voluntarily posted on the platform;

Multimedia: e.g. image and sound recording;

Support/Feedback data: information related to troubleshooting tickets or feedback submission to Microsoft; and

Diagnostic and service data: diagnostic data related to service usage.

In some specific procedures special categories of personal data may be processed by ELA. A specific legal basis to lawfully collect and process those type of data will be declared through the relevant record and privacy statement covering the relevant procession operation.

Some of the data described above are **optional**, in this case, the provision of personal data is not mandatory.

Other data are **mandatory** to meet a statutory/contractual/legal requirement, depending on the case. If you do not provide your personal data, we will not be able to perform our tasks.

In some cases, we have obtained your personal data directly from you, but in others we may obtained your personal data from other services (public or private databases/sources). This will be specified in each relevant record and processing statement covering the relevant processing operation.

5. How long do we keep your personal data?

The ELA ICT team only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for the specific retention period described in each specific record, publicly available and described in the Register of the European Labour Authority at <u>ELA main website</u>.

Data category	Retention period
Customer data	Identification data is stored for as long as the user account is active. For Office 365, data will be retained for as long as there is a contractual relation with M365 Office. Once a contract expires, information is retained for 90 days for the purposes of collection or possible renewal. After this period, information is deleted. At all times during the term of the customer's subscription, the customer will have the ability to access, extract, and delete Customer Data stored in the service.
User patterns:	Up to five years
Content data:	Up to 180 days upon expiration/termination of the subscription
Multimedia:	Up to 180 days upon expiration/termination of the subscription
Support/Feedback data:	Up to 180 days upon expiration/termination of the subscription
Diagnostic and service data	Up to 180 days upon expiration/termination of the subscription
Log files	Up to six months

Microsoft as processor keeps the data as follows:

6. How do we protect and safeguard your personal data?

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

ELA's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of ELA, and by the confidentiality obligations deriving directly from the General Data Protection Regulation in the EU Member States ('GDPR' <u>Regulation (EU) 2016/679</u>.)

In order to protect your personal data, ELA has put in place a number of technical and organisational measures in place. 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.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to ELA staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

In some cases, the personal data will be published on ELA main website and Social media.

The controller will not transfer your personal data outside the European Union and Microsoft as processor is bound by the terms and conditions specified in the Data Protection Addendum which include a EU Data Boundary.

Subprocessors of Microsoft may receive pseudonymised data in exceptional circumstances, based on derogation(s) for specific situations in accordance with article 50.1 (a) –(g) of Regulation (EU) 2018/17125.

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and the right to data portability.

For mandatory data:

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a) on grounds relating to your particular situation.

For mandatory data:

You have consented to provide your personal data to the ELA ICT team for the present processing operation. You can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller:

data-protection@ela.europa.eu

- The Data Protection Officer (DPO) of ELA

You may contact the Data Protection Officer (<u>data-protection@ela.europa.eu</u>)with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor <u>(edps@edps.europa.eu)</u> if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

ELA Data Protection Officer (DPO) publishes the register of all processing operations on personal data by ELA, which have been documented and notified to him. You may access the register via the following link: <u>https://www.ela.europa.eu/en/privacy-policy</u>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-ELA-2022-0012 ELA Microsoft Office 365 environment.