



European Labour Authority

DATA PROTECTION OFFICER

RECORD OF PROCESSING OPERATIONS ON PERSONAL DATA

DPR-ELA-2024-0017 Processing personal data within the framework of the renewal of temporary and contract agent's contracts at the European Labour Authority

1 PART 1: PUBLIC - RECORD (ARTICLE 31¹)

1.1 GENERAL INFORMATION

Record reference	DPR-ELA-2024-0017
Title of the processing operation	Processing personal data within the framework of the renewal of temporary and contract agent's contracts at the European Labour Authority
Controller entity	European Labour Authority, Resources Unit, ELA HR Sector
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 checked="" type="checkbox"/> N/A <input type="checkbox"/> YES
External organisation(s)/entity(ies) Names and contact details	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> YES Microsoft Ireland South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland.
Data Protection Officer Name and contact details	Laura NUNEZ BAREZ European Labour Authority 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 complies with the provisions of the Staff Regulations/CEOS and the founding Regulation on staff matters. Contracts of employment and their renewal are an important part of the management of the human resources at ELA.

For this reason, authorised staff of the Resources Unit, Human Resources Sector (ELA HR Sector) collect personal data to prepare the renewal of staff member's contract of employment based on an individual assessment of each particular case.

The process for renewal of contracts of employment is outlined in the ED decision on this subject.

The processing of personal data is not intended to be used for any automated decision making, including profiling.

1.2.2 Processing for further purposes

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

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
2. Manual processing
 - a. Word documents
 - b. Excel sheet
 - c. Any other, specify

Description

All relevant information is shared with the concerned staff by e-mail. Some of the documents will be registered in Ares. According to the internal rules on sensitive-non classified information, all the documentation related to this process will be marked as Sensitive Non Classified information.

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

Description:

Confidential HR sharepoint files, ARES for HR confidential files, SYSPER for personal file module

1.3 DATA SUBJECTS AND DATA CATEGORIES

1.3.1 Data subjects' categories

1. Internal to organisation	ELA staff
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1.3.2 Data categories/fields

The data processed are the following:

- Identification of the data subject (full name, personal number);
- Type of contract, duration, job title, function group, grade, statutory link, job assignments (current and past, including in other Institutions/Agencies);
- The specific situation, interests of the jobholder and motivation for renewal;
- Assessment of the jobholder, that may include
 - Performance of the jobholder (e.g. appraisal reports);
 - Talent and competency profile of the jobholder which could be compared with the needs identified in the Authority;
 - Recommendation from the reporting officer which may include supporting documents (e.g. emails, letters, notes, budget, organisational structure, overview of posts, organizational activities, specific needs, etc.)
 - Concluding remarks from the Executive Director.

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.

N/A

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"/>
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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
Submitted official documents used for the assessment of each individual case	is kept in the staff member's individual file for the same duration as these files. They may be kept in case of complaint and further judicial procedure. In that case, all documents are kept until the end of the judicial procedure.		
The renewed contract	is kept in the staff member's individual file for the same duration as these files.		

Description

According to the ELA Filing plan and specific retention list at the European Labour Authority > Human resources management > 6.5.1 Performance and career development: personnel files (file for each staff member, opened when they take up their duties and kept open until their service is finished) are kept for 10 years following the termination of employment or the last pension payment.

In the event of a formal appeal, all data held at the time of appeal will be retained until the completion of the appeal process.

1.5 RECIPIENTS

Origin of the recipients of the data	
1. <input checked="" type="checkbox"/> Within the EU organization	ELA HR Sector colleagues involved in this area ELA Head of HR Sector ELA Line manager (HoU/HoS) of the jobholder The AACC or delegated person Legal sector colleagues (if official complaint Art 90 (2) SR and/or litigation procedure)
2. <input checked="" type="checkbox"/> Outside the EU organization	European Commission, HR staff on a need to know basis External authorised persons involved in a litigation procedure

Categories of the data recipients
1. <input checked="" type="checkbox"/> A natural or legal person
2. <input type="checkbox"/> Public authority
3. <input type="checkbox"/> Agency
4. <input type="checkbox"/> Any other third party, specify

1.6 INTERNATIONAL DATA TRANSFERS

Transfer to third countries or international organisations of personal data
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<p>1. Transfer outside of the EU or EEA</p> <p><input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur</p> <p><input type="checkbox"/> YES,</p>
<p>2. Transfer to international organisation(s)</p> <p><input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur</p> <p><input type="checkbox"/> Yes, specify further details about the transfer below</p>
<p>3. Derogations for specific situations (Article 50.1 (a) –(g))</p> <p><input checked="" type="checkbox"/> N /A</p> <p><input type="checkbox"/> Yes, derogation(s) for specific situations in accordance with article 50.1 (a) –(g) apply (ies).</p>

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>
<i>Article 24 – Rights related to Automated individual decision-making, including profiling</i>

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
Internally in HR specific space

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.
[Guidance on data subjects](#) available on ELA main website.

1.8 SECURITY MEASURES

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

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.