

PROTECTION OF YOUR PERSONAL DATA

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

Processing operation: Processing of personal data within the framework of the Headquarters Agreement between ELA and the Government of the Slovak Republic: VAT Refund

Data Controller: European Labour Authority, Resources Unit, Human Resources (ELA HR team)

Record reference: DPR-ELA-2022-0005

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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 [Regulation \(EU\) 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 "Processing of personal data within the framework of the Headquarters Agreement between ELA and the Government of the Slovak Republic: VAT Refund" undertaken by European Labour Authority, Resources Unit, Human Resources (ELA HR team) is presented below.

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

Purpose of the processing operation: ELA HR team collects and uses your personal information to support:

- ELA staff to complete the forms/ file concerning their requests related to the privileges, rights or benefits applicable to ELA's statutory staff.
- The Government of the Slovak Republic to identify who will be eligible for the specific privileges, rights or benefits.

Your personal data will not 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)(d) of Regulation (EU) 018/1725, you have given consent to the processing of your personal data for one or more specific purpose.

Legal basis:

Consent of the data subject and

- Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority,
- Decision (EU) 2019/1199 adopted by common accord between the Representatives of the Governments of the Member States of 13 June 2019 on the location of the seat of the European Labour Authority,
- Headquarters Agreement between the Government of the Slovak Republic and the European Labour Authority, in particular Article 10 and Article 13, and
- Memorandum on the procedure for the implementation of the Headquarters agreement concluded between the Government of the Slovak Republic and the European Labor Authority between the Ministry of Labor, Social Affairs and Family of the Slovak Republic, the Ministry of Finance of the Slovak Republic, the Financial Directorate of the Slovak Republic and the European Labour Authority.

We do not process **special categories of personal data**, therefore Article 10 of the Regulation does not apply.

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

In order to carry out this processing operation, as established in Article 3 of the Headquarters Agreement, ELA HR team, shall provide the Slovak Government with a list of persons considered to be one of the first 144 staff of the European labour Authority, indicating:

Identification data:

Name

Surname

Job classification or function,

The date on which they acquired this status (start date contract and end date contract)

Information on whether they are Slovak nationals or persons who have a permanent residence in the Slovak Republic, and therefore, non eligible for the VAT refund.

The ELA HR team shall immediately inform the Ministry when the status of one of the first 144 staff is acquired by other persons in the period up to the end of 2023, as well as the possible loss of such status by one or more staff, indicating the date of the loss of this status, and indicating other particulars. Ministries are expecting a list (valid at the time) with further regular update (in line with the requests for VAT Refund of new staff).

Any change of the above mentioned data.

List of purchased goods and services and copies of documents confirming the purchase of taxed goods and services within the tax territory of the Slovak Republic, which states the amount of tax in euros, invoice number and date of purchase, directly provided by each staff member.

Financial data: Bank account, directly provided by each staff member.

ELA contact point for the Ministries may have access to the files, when strictly needed, when requested to clarify a specific situation.

Ministries are expecting regular updates (in line with the requests for VAT Refund of new staff).

[The provision of personal data is not mandatory.](#)

5. How long do we keep your personal data?

ELA HR team only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely at the moment the ceiling of 144 staff is reached or maximum at the end of 2023.

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' [Regulation \(EU\) 2016/679](#).)

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 (ELA HR/Resources Team and ELA contact point for the Ministries) 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.

Your data will be transferred to the Government of the Slovak Republic, in particular: the Ministry of Labor, Social Affairs and Family, the Ministry of Finance and the Financial Directorate and Bratislava Tax Office. Only staff responsible for carrying out the processing operation will have access to your data. The Government of the Slovak Republic and Bratislava Tax Office are bound by the General data protection regulation (‘GDPR’ Regulation (EU) 2016/679).

Please note that pursuant to Article 3(13) of the Regulation, public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients. The processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

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.

You have consented to provide your personal data to ELA HR 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:

elavat@ela.europa.eu

- **The Data Protection Officer (DPO) of ELA**

You may contact the Data Protection Officer (data-protection@ela.europa.eu) 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 (edps@edps.europa.eu) 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: <https://www.ela.europa.eu/en/privacy-policy>

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-ELA-2022-0005: Processing of personal data within the framework of the Headquarters Agreement between ELA and the Government of the Slovak Republic: VAT Refund.