

## PROTECTION OF YOUR PERSONAL DATA

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

**Processing operation:** ELA operational workload analysis

**Data Controller:** The European Labour Authority, Resources Unit, Human Resources Sector (ELA HR Sector)

**Record reference:** DPR-ELA-2024-002

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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 "*ELA operational workload analysis*" undertaken by the European Labour Authority, Resources Unit, Human Resources Sector (ELA HR Sector) is presented below.

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

Purpose of the processing operation: The ELA HR Sector collects and uses your personal information to perform a workload organisational analysis to gain insights into current workload challenges across the Authority, and to seek recommendations for further efficiency improvements and optimisation ahead of anticipated growth of specific activity areas.

The analysis will be founded on qualitative and quantitative inputs, taking into account both top-down (e.g. strategic) and bottom-up (e.g. staff activity allocation, workload) perspectives.

As part of this project, interviews with Heads of Units are organised to develop a view on the overall and Unit-Specific strategy, activities and challenges linked to the performed activities, opportunities for efficiency gains, resulting in a top-down view on the Unit workload.

This analysis should include a set of tools recommended and a collection of ready-to-use practices to enable a sustainable workload management for the future.

**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), you have given consent to the processing of your her personal data for one or more specific purposes.

We do not process special categories of personal data, therefore Article 10 of Regulation (EU) 2018/1725 does not apply.

**Clarification:** From nationalities it may be inferred individual's ethnicity/religion with varying degrees of certainty. However, it is inappropriate to treat all nationalities as special category of data in every instance, as this would mean ELA will need a special category condition just to hold such nationalities. In order to consider nationality as a special category of data in this sense is when the controller collects/uses these inferences linked to the special categories of data to influence his/her activities in any way.

In summary, while nationalities can provide insights into ethnicity or religion, they should not automatically be treated as special category data unless their use directly impacts decision-making or activities governed by data protection rules.

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

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

##### **ELA Head of Units/Sectors:**

Name, Surname, Email, Opinion expressed in an interview related to the workload in their respective Unit (workload context, workload distribution, workload peaks and workload optimization (i.e. measures recommended to reduce/moderate/optimize workload)

##### **ELA Staff:**

Unit, Sector, Post, Opinion on the assignment and organisation of the tasks among the Unit/Sector, appropriate task force and collaboration among colleagues, general observations related to the workload assigned.

The provision of personal data is not mandatory.

#### **5. How long do we keep your personal data?**

The ELA HR Sector only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for at latest the end of 2024. ELA will not have access to the raw data but only to aggregated data received from the processor. ELA will instruct the processor, through the relevant Data Processing Agreement, to delete the data from their databases at the end of the contract.

#### **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 the external contractor, acting as processor under Regulation (EU) 2018/1725: Deloitte . They will have access to all data related to the self assessment and interviews from the Head of Units and Sectors.

HR staff on a need to know basis will only have access to aggregated data as the data collected by the processor will be shared only this way (replies related to the roles or Units but not combined per Units/Sectors), therefore it will not be possible to know who replies what.

ELA staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle will only have access to aggregated data. Such staff abide by statutory, and when required, additional confidentiality agreements.

*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 the ELA HR Sector 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: [hr@ela.europa.eu](mailto:hr@ela.europa.eu)

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

You may contact the Data Protection Officer ([data-protection@ela.europa.eu](mailto: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](mailto: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-2024-002 ELA operational workload analysis.