

## 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

**Data Controller:** The European Labour Authority, Governance and Coordination Unit (Governance Unit)

**Record reference:** DPR-ELA-2024-0019

### 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 [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 "*DPR-ELA-2024-0019: Processing of personal data within the framework of the Headquarters Agreement between ELA and the Government of the Slovak Republic*" undertaken by the European Labour Authority, Governance and Coordination Unit (Governance Unit) is presented below.

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

Purpose of the processing operation: The Governance Unit, collects and uses your personal information to cover the activities within the framework of the Headquarters Agreement establishing the provisions applicable to the relations between the European Labour Authority (ELA) and the Slovak Republic, in particular to the privileges and immunities granted to the Authority and to its accredited statutory staff in the Headquarters Agreement between the Government of the Slovak Republic and the European Labour Authority.

In particular, this process of personal data aims to cover any exchange of personal data between the ELA Governance and Coordination Unit and the Ministry of Foreign and European Affairs of the Slovak Republic for the following purposes:

- facilitating the entry and stay of the members of ELA, and
- providing a special identity card, which shall serve as a residence permit and an evidence for identification.

This process covers to **all ELA Staff**, in the sense of officials, temporary and contract agents, employed directly by the Authority, and of seconded national experts and other staff not employed by the Authority as contemplated by Articles 32 and 33 of the Staff Regulations.

This process also covers, in a voluntary basis, to the **family members** of the above mentioned Staff.

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) of Regulation(EU) 2018/17125:

### For ELA Staff:

- (a) 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:

- Articles 11 and 12 of the Headquarters Agreement between the Government of the Slovak Republic and the European Labour Authority.
- **Article 20 Staff Regulations and by analogy to CEOs:** *“An official shall reside either in the place where he is employed or at no greater distance there from as is compatible with the proper performance of his duties. The official shall notify the Appointing Authority of his address and inform it immediately of any change of address.”*

**For family members:**

(d) you have given consent to the processing of your personal data for this specific purposes.

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, the Governance Unit, collects the following categories of personal data:

**Identification data – ELA Staff: MANDATORY INFORMATION**

Name

Surname

Nationality

Date of birth

The arrival for taking up residence in and definitive departure from the Slovak Republic (start date contract and end date contract) and place of residence in the Slovak Republic – (e.g., Slovak nationals, Permanent residents in Slovakia before joining ELA, Not residing in Slovakia and Residence in Slovakia after joining ELA ( address to be filled in).

→ The provision of personal data is mandatory to meet a legal requirement according to Articles 11 and 12 of the Headquarters agreement between ELA and the government of the Slovak Republic. If you do not provide your personal data, we will not be able to fulfil our legal obligations towards the host Member State.

**Identification data – Family members of ELA Staff: VOLUNTARY**

Name

Surname

ELA Staff member associated and relation

→ The provision of personal data is not mandatory.

Any change of the above mentioned data will be communicated in due time to the relevant Slovak authorities.

Ministry is expecting a list (valid at the time) with further regular update (twice per year). ELA contact point for the Ministries may have access to the files, when strictly needed, when requested to clarify a specific situation.

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

The Governance Unit only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for **6 months**, as an update will need to be prepared regularly. Once the new updated version is created, the previous one will be deleted.

#### **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 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.

This information will be shared with the responsible staff in the Ministry of Foreign and European Affairs of the Slovak Republic.

*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.

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

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 family members:**

You have consented to provide your personal data to the Governance Unit 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:

[ela-res.support@ela.europa.eu](mailto:ela-res.support@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-2024-0019: Processing of personal data within the framework of the Headquarters Agreement between ELA and the Government of the Slovak Republic.