



European Labour Authority

DATA PROTECTION OFFICER

RECORD OF PROCESSING OPERATIONS ON PERSONAL DATA

DPR-ELA-2024-0021 ELA job descriptions

1 PART 1: PUBLIC - RECORD (ARTICLE 31¹)**1.1 GENERAL INFORMATION**

Record reference	DPR-ELA-2024-0021
Title of the processing operation	ELA job descriptions
Controller entity	European Labour Authority, Resources unit, Human Resources Sector (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 European Commission: Human Resources and Security (HR.D.2) Rue Montoyer, Brussels, Belgium
Data Protection Officer Name and contact details	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

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, Resources Unit, Human Resources Sector (HR Sector) aims to support and facilitate the management of staff and workforce in SYSPER which is an integrated information system for the management of human resources in the European Commission (and other European institutions).

Through job descriptions, HR Sector aims to:

- provide a clear and detailed outline of the roles and responsibilities associated with a particular position, and
- ensure consistency within units and across the organization, aligning with strategic objectives in cooperation with management

In particular, job descriptions define the job profile, including the functions and duties to be carried out, job requirements such as experience and competencies, language skills required, and the job environment.

As ultimate step, a job description is associated to a job holder and this refers to personal data. This record aims to cover this process of personal data.

1.2.2 Processing for further purposes

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

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
Using SYSPER module
2. Manual processing
 - a. Word documents
 - b. Excel sheet
 - c. Any other, specify
3. Any other mode, specify
Exports from SYSPER JIS in pdf format may be generated and stored by the staff member, their line manager and HR.

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
- 4. Others, specify

Description:

SYSPER databases and servers are hosted in the Data Centre of the European Commission. The SYSPER servers are accessible through a web-based application. The maintenance of the SYSPER databases and servers is ensured by the European Commission.

1.2.5 Comments on the processing of the data

Since SYSPER 2 is a tool managed by the European Commission, DG HR and DG DIGIT maintain the system and provide technical support, acting as processors in this specific process.

1.3 DATA SUBJECTS AND DATA CATEGORIES

1.3.1 Data subjects' categories

1. Internal to organisation	ELA HR Sector collects the data of the staff members (active, non active and retired) covered by the Staff Regulation and the conditions of employment of other servants of the European Union. Namely: -Officials of the European Labour Authority; -Temporary agents; -Contractual agents; -Former staff members on termination of service (pension, end contract, etc).
2. External to organisation	<input checked="" type="checkbox"/> N/A

1.3.2 Data categories/fields

The job description as such refers to the role in the organization, and describes in particular:

- purpose of the position,
- domain it relates to,
- functions and duties,
- experience needed to perform the role and
- job environment.

The role is then associated with a job holder, for which the job holder name and job title are specified.

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,

<input type="checkbox"/> Data concerning health, <input type="checkbox"/> Data concerning a natural person's sex life or sexual orientation. <input checked="" type="checkbox"/> N/A
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If applicable, indicate the reasons under article 10(2) allowing the processing of the special categories of data:

(a) The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, [...].

(b) 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 [...].

(c) 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.

(d) Processing is carried out in the course of its legitimate activities with appropriate safeguards by a non-profit-seeking body which constitutes an entity integrated in a Union institution or body and with a political, philosophical, religious or trade-union aim [...].

(e) Processing relates to personal data which are manifestly made public by the data subject.

(f) Processing is necessary for the establishment, exercise or defense of legal claims or whenever the Court of Justice of the European Union is acting in its judicial capacity.

(g) Processing is necessary for reasons of substantial public interest, [...]

(h) 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 [...].

(i) 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 health care and of medicinal products or medical devices [...].

(j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes [...].

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"/>
Description:	

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
All data categories	As long as the job holder continue in the position. A change in the position will be immediately delimited and a new JD created for the new position of the job holder. If the same position is taken over by a new job holder a new copy of the JD is created and uniquely associated to the new holder without visibility on previous job holders of the same position.

1.5 RECIPIENTS

Origin of the recipients of the data	
1. <input checked="" type="checkbox"/> Within the EU organization	ELA Saff
2. <input checked="" type="checkbox"/> Outside the EU organization	European Commission (DG HR or DG DIGIT) IT external contractors

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

Description

Editing job descriptions in SYSPER is only available for line managers and HR.

For the jobholder the job description becomes visible in SYSPER once it is approved. Also the Executive Director will see all the data categories and Head of Units the staff they are responsible of. Head of Sectors may have access to the staff in their Sector if this is delegated from the Head of Units.

1.6 INTERNATIONAL DATA TRANSFERS

Transfer to third countries or international organisations of personal data	
1. Transfer outside of the EU or EEA <input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur <input type="checkbox"/> YES,	
Country(ies) to which the data is transferred	
2. Transfer to international organisation(s) <input checked="" type="checkbox"/> N/A, transfers do not occur and are not planned to occur <input type="checkbox"/> Yes, specify further details about the transfer below	
Names of the international organisations to which the data is transferred	

<p>3. Legal base for the data transfer</p> <p><input type="checkbox"/> Transfer on the basis of the European Commission's adequacy decision (<i>Article 47</i>)</p> <p><input type="checkbox"/> Transfer subject to appropriate safeguards (<i>Article 48.2 and .3</i>), specify:</p> <p>2. (a) <input type="checkbox"/> A legally binding and enforceable instrument between public authorities or bodies.</p> <p>Standard data protection clauses, adopted by</p> <p>(b) <input type="checkbox"/> the Commission, or</p> <p>(c) <input type="checkbox"/> the European Data Protection Supervisor and approved by the Commission, pursuant to the examination procedure referred to in Article 96(2) .</p> <p>(d) <input type="checkbox"/> Binding corporate rules, <input type="checkbox"/> Codes of conduct , <input type="checkbox"/> Certification mechanism pursuant to points (b), (e) and (f) of Article 46(2) of Regulation (EU) 2016/679, where the processor is not a Union institution or body.</p> <p>3. Subject to the authorisation from the European Data Protection Supervisor:</p> <p><input type="checkbox"/> Contractual clauses between the controller or processor and the controller, processor or the recipient of the personal data in the third country or international organisation.</p> <p><input type="checkbox"/> Administrative arrangements between public authorities or bodies which include enforceable and effective data subject rights.</p> <p><input type="checkbox"/> Transfer based on an international agreement (<i>Article 49</i>), specify</p>	
<p>4. Derogations for specific situations (<i>Article 50.1 (a) –(g)</i>)</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>	

Description

No international data transfers are foreseen.

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 a privacy statement attached to this record.

Publication of the privacy statement

Published on website

Web location:

- ELA internal website (URL: Share Point on personal data protection)
- External website (URL: <https://www.ela.europa.eu/en/privacy-policy>)

Other form of publication, specify
PS will be available on HR Sharepoint.

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:

Description:

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.

For the servers in the European Commission:

The Data is stored and hosted by the DIGIT Data Center and meets the DG DIGIT security standards. All processing operations are carried out pursuant to the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission. In order to protect the personal data, the Commission 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.