

PROTECTION OF YOUR PERSONAL DATA

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

Processing operation: Processing of your personal data in the context of a trade Union / Staff Association activities representing Staff Working for EU Institutions or EU bodies

Your personal data is processed by the following Joint /Data Controllers : Union Syndicale - Service public européen – Bruxelles – Section Commission

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1. Introduction

Union Syndicale - Service public européen – Bruxelles - Section Commission, acting in its name or on behalf of USF is a trade union or a Staff Association. It defends the individual and collective interests of staff employed in European Institutions and/or other European Union (EU) bodies. The right of everyone to form and to join trade unions for the protection of his or her interests is expressed in Article 12 of the EU Charter of Fundamental Rights and in Article 24b of Staff Regulation.

Union Syndicale - Service public européen – Bruxelles - Section Commission is committed to protect your personal data and to respect your privacy. We collect 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) (hereinafter “EUDPR”) and [Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter “General Data Protection Regulation” or “GDPR”).

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.

2. To whom is this privacy statement addressed and why do we process your personal data?

The Privacy Statements applies to the European Commission’s staff whose Personal Data is processed by us.

Union Syndicale - Service public européen – Bruxelles - Section Commission is an union formally recognized by the European Commission, by other EU Institutions and bodies.

The right to freedom of peaceful assembly and to freedom of association at all levels, in particular in political, trade union and civic matters, which implies the right of everyone to form and to join trade unions for the protection of his or her interests is expressed in Article 12 of the EU Charter of Fundamental Rights. This is the overarching framework for all actions and tasks of a trade union/staff association.

According to the Agreement signed among the European Commission and unions or staff associations on 18 December 2008, and more specially its Article 24, the European Commission allows us to access the staff directory in order to disseminate messages to its agents from our functional mailbox OSP-US-BXL@ec.europa.eu.

The purpose of these messages is to defend the general interest of the European Commission Staff, as specified in Article 10b of Staff regulation.

This access is considered as a transmission of data from the European Commission to us, as external organization established in the Union other than Union institutions and bodies since the data are necessary for the performance of a task carried out in the public interest, according to article 9§1 point a) EUDPR. The European Commission has published on 19 December 2022 the related notice (DPR-EC-10466-1). The modalities concerning the dissemination of emails have been specified into a convention between the European Commission and us and we signed a Code of Good conduct for sending emails to the European Commission’s staff.

3. What categories of personal data do we process?

3.1. If you are not a member of our Union or staff association

In order to carry out our mission above-mentioned, we process, from our access to the staff directory run by the European Commission, the following categories of personal data:

- **Personal details:** first name; family name;
- **Contact details:** professional e-mail address; office address; professional phone number; professional service.

3.2. If you are a member of our Union or staff association

In addition to the categories of personal data already above-mentioned in paragraph 3.1., we process the following categories of personal data:

- **Personal details of members:** staff number, first name; family name; spouse name; date of birth, sex; nationality; native language, bank account number (IBAN, BIC), postal address, private email address, signature of the account holder;
- **Employment details:** EU institution, office address, DG/service, recruitment date, date of end of the contract (if applicable), professional phone, professional fax, professional email, statutory position, category-grade-group of function, working regime.

All members are expected to communicate any update of their personal data for helping the trade unions to maintain their data lists daily up-to-date.

4. What is the purpose and legal ground for the processing of your personal data ?

We process your personal data for the following purposes and based upon the following legal grounds, in accordance with applicable law:

4.1. For the performance of a task carried out in the public interest which is the defence of the general interest of the European Commission staff (article 6§1, e) GDPR) as stated in paragraph 2 of this privacy statement, for, including but not limited to, the following purposes:

- a) To send you emails relating to subject of public interest (including newsletters), which means every subject that impacts the rights and obligations of the staff such as strikes, leaflets on trade union issues,...

4.2. For compliance with a legal obligation to which we are subject (article 6§1, c) GDPR) for, including but not limited to, the following purposes:

- a) To send you emails for elections purposes ;
- b) Any other processing we are legally required to pursue.

4.3. For the performance of our contract when you become a member of our union or in order to take steps at your request prior to entering into a contract (article 6§1, b) GDPR) for, including but not limited to, the following purposes:

- a) To manage your membership : namely registration of new members, update of registration information, termination of membership, collection of membership fee,

communication with members, invitation to the General Assembly, organization of elections of governing and consultative bodies, organization of conferences, information events, training courses and answer to your question(s);

- b) To manage our website and other communication means (social media, distribution of physical (paper) material, sending of emails and/or newsletter, videoconference tools for webinars): namely registration, making comments or posting questions, notifying users when answers are published to their comments or questions, distributing communications;

4.4. For the realization of our legitimate interests, when the processing of your personal data is necessary for us to conduct our activities (article 6§1, f) GDPR) for, including but not limited to, the following purposes:

- a) To inform you of our upcoming Events, products and services by email (soft opt-in) or any other means ;
- b) To send you emails for survey purposes relating to the performance of our services ;

In the cases referred to above, we strive for maintaining a fair balance between the need to process your Personal Data and the preservation of your rights and freedoms, including the respect for your privacy.

4.5. With your consent (article 6§1, a) GDPR) for, including but not limited to, the following purposes:

- a) To handle your request when you send an enquiry via our website, a call or any other means;
- b) To send you direct marketing communications via email based on your implicit consent if you are a member of our union. You have the ability to object to this use of your email address at any time and free of charge. You can unsubscribe easily via the added link at the bottom of any email;
- c) To transfer your email address (or any other Personal Data for which applicable law imposes prior obtaining of your consent and for which you have consented) to a specified third party;

You have a right to withdraw your consent for the processing of your Personal Data at any time where your consent is the legal ground for the processing of your Personal Data.

Your personal data will not be used for an automated decision-making including profiling.

5. How long do we keep your personal data?

We only process your personal data for the time necessary to fulfil the purpose of collection or further processing:

- a) For the purpose of trade union and staff association activities under the Staff Regulations, incl. sending of e-mail messages and newsletters to the staff, we only access the staff directory and daily withdraw from our sending lists the staff members who requested not to be contacted.

These lists are maintained updated until the persons concerned explicitly gave their permission to be contacted again.

The lists of emails used in emailing activities in the Commission is transiently processed and is not stored by us. When we send mass emails using any of the functional email boxes, we retrieve the addresses from several Commission distribution lists, and the addresses are discarded immediately after sending the messages.

- b) For the purpose of membership management, we keep the relevant personal data as long as their membership is maintained and for a period of ten more years after expiration of the membership.
- c) For the purpose of website and other social communication means management, we keep the relevant personal data until the subscriber requests his or her account to 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 Commission or on the Member organisation servers which are located in the European Union. 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 your personal data, we as well as the Institution or EU bodies have 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.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to our trade union staff 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.

8. What are your rights and how can you exercise them?

Relating to personal data contained by the European Commission’s staff directory, 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. 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. To exercise these rights, you have to contact the European Commission, which is the Data controller of the staff directory, or the Data Protection Officer (DPO) of the Commission.

Relating to your personal data that we personally keep and store as described by this privacy statement, you can exercise the following rights by contacting us at the addresses mentioned at article 9, enclosing a copy of your identity card, passport or other valid means of identification and your specific request :

- a) **Right to access:** you may request to obtain information whether we process your Personal Data and, where applicable, have access to them, including a copy of the personal data undergoing processing.
- b) **Right to rectification:** you may request that we rectify any inaccurate and/or complete any incomplete Personal Data free of charge.
- c) **Right to withdraw consent:** You may, when the processing is entirely based on your consent, withdraw your consent to the processing of your Personal Data at any time. Such withdrawal will not affect the lawfulness of processing based on your previous consent.
- d) **Right to erasure :** You may request that we erase your Personal Data and we will comply, unless there is a lawful reason for not doing so. For example, there may be an overriding legitimate ground for keeping your Personal Data, such as, a legal obligation that we have to comply with, or if retention is necessary for us to comply with our legal obligations.
- e) **Right to lodge a complaint with the supervisory authority :** You have the right to contact the relevant supervisory authority in case you consider we process your Personal Data unlawfully.
- f) **Right to object :**
 - a. For all processing of your personal data based on public interest (article 6§1, e) GDPR) or our legitimate interest (article 6§1, f) GDPR), you have a right to unsubscribe to our mailing list by sending us an email at the address OSP-US-BXL@ec.europa.eu. We will no longer process your personal data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims;
 - b. Where your personal data are processed for direct marketing purposes, you have a right to object at any time and free of charge to processing of your data . You can unsubscribe easily via the added link at the bottom of any email;

9. Contact information

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.

- **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,

Email: OSP-US-BXL@ec.europa.eu

- **The Data Protection Officer Authority of [Union Syndicale - Service public européen – Bruxelles – Section Commission](#) is registered/recognized :**

- Belgium: <https://www.dataprotectionauthority.be/citizen>

- **The Data Protection Officer (DPO) of the Commission**

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.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.

- Website: <https://edps.europa.eu/en>