

SPECIFIC PRIVACY NOTICE – Recruitment of temporary agents and contract agents

Recruitment of temporary agents and contract agents involves processing of personal data, which shall comply with Regulation (EC) N° 2018/1725¹ (the “Regulation”).

What is the purpose of the personal data collection?

To recruit temporary agents and contract agents within the SJU and to comply with Staff Regulations and Conditions of Employment of Other Servants (CEOS) as well as the implementing rules of selection and recruitment of the indicated staff.

Which kind of personal information is collected?

- Personal details (name, address, etc.)
- Any documents verifying the selected candidate’s technical and professional competencies (diplomas, certificates of previous work experience)
- Documents verifying nationality (passport/ID)
- Family situation (marriage certificates, birth certificates, other)
- Documents verifying appropriate character references (extracts of criminal record or if there is no central national register of criminal records in the Member State concerned, an attestation of good behaviour from the police authorities) in line with article 12(2) and 82(3) of CEOS.
- Document sent from the Commission medical service indicating in compliance with article 12(2) and 82(3) of the CEOS that the selected candidate is physically fit or not to perform his/her duties.
- PMO forms to allow the establishment of the recruited staff’s entitlements under the Staff Regulation and CEOS.
- Originals of the extracts of criminal record/attestation of good behaviour.

In principle, the Controller does not need to collect and process special categories of data² as defined in Article 10.1 of the Regulation because medical data *stricto sensu* are solely processed by the Medical Service of the Commission and are not processed by the SJU.

Sensitive information on appropriate character references on the data subject, such as judicial records and attestation of good behaviour, is processed in line with article 12(2) and 82(3) CEOS. See further on the retention period of such data.

What is the legal basis of the processing?

- Article 2 (a) and (f), 3(a), 12, 82 and 86 of CEOS³

¹ [Regulation \(EU\) N° 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, and repealing Regulation \(EC\) No 45/2001 and Decision No 1247/2002/EC \(“IDPR”\).](#)

² Data revealing racial or ethnic origin, political opinions, religion of philosophical beliefs, trade-union memberships, or data concerning health or sex life

³ [Regulation 31 \(EEC\) and 11 \(EAEC\) 14 June 1962 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community](#)

- Decision 25 of SJU Administrative Board of 9 October 2009 on general implementing provisions on the procedure governing the engagement and the use of temporary agents at the SESAR Joint Undertaking⁴
- Decision 27 of SJU Administrative Board on general implementing provision on the procedure governing the engagement and the use of contract staff at SESAR Joint Undertaking⁵
- Decision 06 of SJU Administrative Board of 16 June 2016 laying down general implementing provisions on the procedure governing the engagement and use of temporary staff under Article 2(f) of the Conditions of Employment of other servants of the European Union⁶

Actors in the data collection

- **Controller:** The SESAR JU
- **Processor:** Administration and Finance Directorate – HR Sector

How is SJU processing the personal data?

Data is collected by the HR Sector and used by the HR team to prepare the contract of the recruited candidate and to collect the information required by the Staff Regulation and CEOS. The data is sent by email to the Office for the Administration and payment of individual entitlement (PMO) for the calculation of the employee's rights and it is received also by the Appointing Authority.

The data is processed manually and electronically.

- Birth certificate and criminal records have to be provided in paper as originals.
- The rest of the documents might be received as electronic files and they are stored in SJU share drive protected by management of access rights.

How do we protect and safeguard your information?

Data are stored:

- Paper files are stored in a locked cabinet in the HR sector's secured office until their destruction.
- Electronically in the SJU share drive and in the functional mailbox.

In both cases, access and control rights are restricted to the HR Sector.

Who has access to your information and to whom is it disclosed?

- Staff of the SJU in charge of Human Resources;
- Appointing Authority (Executive Director of the SJU or Delegate);
- PMO in the context of the Service Level Agreement signed with them since the beginning of the SESAR Joint Undertaking as Community body.

If appropriate, authorised staff from the EU bodies in charge of monitoring and inspection tasks will also be provided with access (e.g. Court of Auditors, the Internal Auditor, the European Ombudsman, the Civil Service Tribunal, the European Anti-Fraud Office and the European Data Protection Supervisor).

What are your rights and how can you exercise them?

The procedure to grant rights to data subjects includes:

⁴ [Decision 25 of SJU Administrative Board of 9 October 2009 on general implementing provisions on the procedure governing the engagement and the use of temporary agents at the SESAR Joint Undertaking](#)

⁵ [Decision 27 of the SJU Administrative Board of 9 October 2009 on general implementing provisions on the procedure governing the engagement and the use of contract staff at the SESAR Joint Undertaking](#)

⁶ [Decision 06 of SJU Administrative Board of 16 June 2016 laying down general implementing provisions on the procedure governing the engagement and use of temporary staff under Article 2\(f\) of the Conditions of Employment of other servants of the European Union](#)

- Access to the DPO's register of data processing operations;
- Requests from data subjects to the Data Controller to exercise their rights; as well as
- Detailed procedures to exercise the rights to **access, rectify, erase, block, object, notify to third parties of any rectification, erasure or blocking and not to be subject to a decision which produces legal effects concerning him or her or significantly affects him or her and which is based solely on automated processing of data** intended to evaluate certain personal aspects relating to him or her, unless such decision is expressly authorised pursuant to national or Community legislation or the European Data Protection Supervisor (as required by articles 14-16 of the EU DPR Regulation).

Possible restrictions as laid down in Article 25 of the EU DPR Regulation can apply, based on the assessment conducted on a case by case analysis, in particular where it is necessary to safeguard the rights of the data subjects and/or the rights and freedom of others.

For how long the data is retained?

Data regarding recruited staff will be kept for **ten** years after the last financial transaction or the termination of employment, the latest date prevailing.

Criminal records will be stored up to **two years** from the date of recruitment and be destroyed earlier if they have been checked by the Court of Auditors.

Complaints, concerns and recourse

Any complaint or concern shall be addressed to:

- the data protection officer of the SJU: sju.data-protection@sesarju.eu, , and
- the HR Sector at hr@sesarju.eu

Data subjects have a right to recourse to the European Data Protection Supervisor (EDPS) at any time edps@edps.europa.eu