

PRIVACY NOTICE - Protection of Personal Data in relation to pre-recruitment/annual medical check-up services/absences/sickness of EIGE's staff

The European Institute for Gender Equality (EIGE) informs You about processing of Your personal data in compliance with Regulation 2018/1725 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.

Purpose of processing of personal data

EIGE collects personal data in order to ensure that the data subject is physically fit to perform his/her/their duties or needs certain accommodation at the workplace, to grant sick leave based on a medical certificate, for reimbursement of the annual medical exams and to grant invalidity allowance (just in some cases). Candidates are required to undergo a pre-recruitment medical examination. All staff is required to undergo an annual medical examination to certify their fitness for work. The annual tests and medical exams of the staff will be carried out at the Medical Centre, the Contractor of EIGE. EIGE keeps only the medical "fit/not fit/ fit with reserve to work" certificate which is filled in the personal file of the staff member.

Legal basis

- I. Regulation (EU) 2018/1725;
- II. Pre-recruitment medical examination: Articles 12(d), 13(2) and 83 of the Conditions of Employment of Other Servants (CEOS) and Articles 28 and 33 of the Staff Regulations.
- III. Annual medical examination: Articles 16(1), 59 and 91 of the CEOS and Articles 59 (6) of the Staff Regulations.
- IV. Medical certificate to verify absence because of sickness/accident: Article 59 (1) of the Staff Regulations and Article 16 of the CEOS.
- V. Additionally, the processing of the personal data is also in accordance with Article 5 (a),(d), (e) of Regulation (EU) No 2018/1725.

Lawfulness of processing

Processing is necessary for the performance of a task carried out in the public interest on the basis of the Treaty Functioning the EU (TFEU) and the Establishment Regulation of EIGE (EC) No 1922/2006.

Data categories

EIGE collects data from the applicants regarding their:

- Name (title, first name, surname), date of birth and function;
- Contact details (postal address, country of residence, telephone number, mobile telephone number, e-mail address, website address), if relevant;
- Bank account details (account number, name of the account holder, name and address of the bank, IBAN and BIC codes), if relevant.

The pre-recruitment medical exams determine whether a person is physically fit to perform his/her/their duties, needs certain accommodations at the workplace, or to assess whether a limitation on benefits is necessary. Only relevant data for the purpose of justification of a medical absence or initiation of a control of an absence is requested in such a medical certificate.

Medical records of EIGE staff are maintained at the medical centre. The medical centre is required strict compliance with the Data Protection Regulation (EU) 2018/1725.

Data Controller

EIGE is the legal entity responsible for the processing of your personal data and determines the objective of this processing activity. The Data Controller is primarily the Human Resources Officer, supervised by the Head of Administration. The Data Controller ensures the proper implementation of the processing operations in relation to the processing of health data at EIGE.

Access and storage of the data

A restricted number of staff members can access your personal data. These include the Human Resources Officer, Training and Payroll Officer, the Head of Administration Unit and the Director. Moreover, a transfer of health data might take place among EU Institutions and Agencies at the moment of the recruitment. For the pre-employment medical check-ups and the annual visits, the recipient of your data is the Medical Advisor of EIGE. The Medical Advisor processes the medical details, which can be transmitted to you directly. Under no circumstances is your medical data forwarded to the Human Resources. The Human Resources only collects aptitude certificate providing whether you are fit to work. For the registration of sick leave, you are required to submit your medical certificate directly to the Medical Advisor who informs in writing the responsible persons in the Human Resources on your absence. The person responsible from HR will introduce the dates of your sick leave, into the Agency's leave management system. The Medical Advisor verifies the validity of the medical certificate. The personal data are stored in electronic databases of EIGE or the medical centre in line with requirements under Regulation (EU) 2018/1725.

EIGE does not intend to share personal data to Third Countries/International Organisations.

Date when processing starts

Date of the medical examination pre-recruitment, the annual medical examination; the medical certificate sent in case of sickness/accident.

Retention policy

- Documents related to recruited candidates for Temporary Agents, Contract Agents, Seconded National Experts, and Trainees: for a maximum period of 10 years as of the termination of employment or as of the last pension payment.
- Documents related to non-recruited candidates for Temporary Agents, Contract Agents and Seconded National Experts: the medical data of not recruited persons is kept only for 2 years, period during which it is possible to challenge the data or the negative decision taken based on the data.
- Documents related to sick leave are kept for 2 years.

The data subject has specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725

Right to access data – data subjects have the right to access data at any time by sending an email request to EIGE.HR@eige.europa.eu.

Right to rectify – data subjects have the right to rectify their data without delay of inaccurate or incomplete personal data.

Right to restrict – data subjects have the right to restrict the processing at any moment by sending an email request to EIGE.HR@eige.europa.eu; and the right to be informed before personal data are disclosed for the first time to third parties or before they are used on their behalf for the purposes of direct marketing, and to be expressly offered the right to object free of charge to such disclosure or use.

Right to erasure – data subjects have the right to obtain from the controller the erasure of data if their processing is unlawful by sending email request to EIGE.HR@eige.europa.eu.

If the data subjects have any queries concerning the processing of their personal data, they may address them to the Data Protection Officer or to the Data Controller of EIGE by contacting information at dpo@eige.europa.eu.

Other rights – Where applicable, you also have the right to object to the processing or the right to data portability. 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 legitimate compelling grounds by sending an e-mail to dpo@eige.europa.eu.

Data subjects are also entitled to have recourse at any time to the European Data Protection Supervisor:

Website: <http://www.edps.europa.eu>

Email: edps@edps.europa.eu

Contact information

Data Protection Officer of EIGE, e-mail dpo@eige.europa.eu

EIGE HR, email EIGE.HR@eige.europa.eu