

REGISTER NUMBER: 342
NOTIFICATION FOR PRIOR CHECKING
<p>Date of submission: 11/03/2008</p> <p>Case number: 2008-158</p> <p>Institution: EMCDDA</p> <p>Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾</p> <p style="text-align: right;"><i>(1) OJ L 8, 12.01.2001</i></p>

INFORMATION TO BE GIVEN⁽²⁾
<i>(2) Please attach all necessary backup documents</i>
<p>1/ Name and address of the controller</p> <p>Mr. Dante Storti, Head of Unit - Administration (EMCDDA. Rua da Cruz de Santa Apolonia 23-25. 1149-045. Lisboa)</p>
<p>2/ Organisational parts of the institution or body entrusted with the processing of personal data</p> <p>Human Resource Management Sector (HRMS) - a Sector within the Administration Unit</p>
<p>3/ Name of the processing</p> <p>Time management: SIC congé and flexitime</p>
<p>4/ Purpose or purposes of the processing</p> <p>Time management of EMCDDA staff, including management of annual leave entitlements and special leave, including travelling time, parental leave, part-time work, registration of absences because of mission, sick leave and compensation with time off (Flexitime) .<u>Description of the processing:</u> "Sic congé" is the electronic system for EMCDDA staff's time management, including entitlements for annual leave, special leave, travelling time, parental leave, part-time work, registration of absences because of mission, sick leave and compensation with time off (Flexitime). Some personal data are subject to Article 27, namely, data concerning flexi-time and certain data regarding medical issues.</p> <p>Regarding flexitime, most of the operations are done manually (registration of working time) and are registered by the staff member concerned. Once the form for a given months is filled in and printed out, is signed for approval by the head of the unit concerned and then circulated to the HRMS for storage (see attachments).</p> <p>Correction of data already inserted and derogations to general rules are introduced manually previous <u>authorisation by the head of the unit concerned.</u></p>
<p>5/ Description of the category or categories of data subjects</p>

All staff members and former staff members of the EMCDDA.
<p>6/ Description of the data or categories of data(<i>including, if applicable, special categories of data (article 10) and/or origin of data</i>)</p> <p>The description of the data dealt with is available in the timesheet for flexitime (see attachment)</p>
<p>7/ Information to be given to data subjects</p> <p>Full process is posted in the EMCDDA Intranet for general information. In this context a declaration of confidentiality and data protection is posted for the full knowledge of staff (see attachment)</p>
<p>8/ Procedures to grant rights of data subjects(<i>rights of access, to rectify, to block, to erase, to object</i>)</p> <p>Each member of the EMCDDA staff may have access to his/her data via the the system or the relevant time-sheet. In particular Each member of the EMCDDA staff may introduce most of the data by him/herself or may access the information regarding his/her data through Sic Congé. This allows the staff member to verify that the data is correct and should this not be the case, to correct it him/herself or request correction to the HR staff. Some data indeed shall be validated by HR staff namely in the case this data is relevant to pecuniary rights of the staff concerned.</p>
<p>9/ Automated / Manual processing operation</p> <p>n.a</p>
<p>10/ Storage media of data</p> <p>Electronic and paper-based storage system</p>
<p>11/ Legal basis and lawfulness of the processing operation</p> <p>Staff Regulations of officials and Conditions of employment of other servants of the European Communities and the relevant implementing rules. The processing is lawful and necessary under Article 5.(a) and under whereas no.27 of Regulation (EC) 45/2001.</p> <p>The present notification is subject to prior-checking by the European Data protection Supervisor under Article 27 of Regulation (EC) 45/2001.</p>
<p>12/ The recipients or categories of recipient to whom the data might be disclosed</p> <p>Staff member concerned, head of unit, and HR officer in charge. Other EU institutions in case of interinstitutional transfer of officials, pursuant to article 29 of staff regulations</p>
<p>13/ retention policy of (categories of) personal data</p> <p>Data will be stored in the EMCDDA files for five years after termination of service. After the mentioned period only data necessary for macro-reporting of the time management of staff (number of days of absences from work, total number of sick leave days taken, etc.) will be kept for statistical reasons. The mentioned statistics are not subject to the Regulation 45/2001 since they are anonymous and do not allow to identify direct or indirectly one or more persons.</p>
<p>13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (<i>Please, specify the time limits for every category, if applicable</i>)</p> <p>Calendar year.</p>
<p>14/ Historical, statistical or scientific purposes</p> <p><i>If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification,</i></p>

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15/ Proposed transfers of data to third countries or international organisations
n.a

16/ The processing operation presents specific risk which justifies prior checking (*please describe*):

"Sic congé" includes entitlements for annual leave, special leave, travelling time, parental leave, part-time work, registration of absences because of mission, sick leave and compensation with time off (Flexitime). Some personal data are subject to Article 27.2.a), namely, data concerning flexi-time and certain data regarding medical issues (sick leave).

AS FORESEEN IN:

☒ Article 27.2.(a)

Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

☐ Article 27.2.(b)

Processing operations intended to evaluate personal aspects relating to the data subject,

☐ Article 27.2.(c)

Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

☐ Article 27.2.(d)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

☐ Other (general concept in Article 27.1)

17/ Comments

PLACE AND DATE: Lisbon, 11.03.2008

DATA PROTECTION OFFICER: Cécile Martel

INSTITUTION OR BODY:EMCDDA