GOSSELIN	**POLICY**

POL-GDPR-002-Confidentiality Policy – Employees' rights and obligations concerning GDPR – (Employee Privacy Policy)

Classification:	**Public use**

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Revisies

Versie	Datum	Auteur	Samenvatting wijzigingen
1.0	29/11/2019	Legal	First approved version
2.0	12/08/2020	HR	Policy renamed from GDPR 008 to HR 002
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4.0	23/09/2024	Quality	Change from HR to GDPR Domainname
5.0	21/04/2026	Quality	Integrated multiple related policies for better cohesion

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1. Aim

This Policy defines the rights and obligations under the General Data Protection Regulation (GDPR). This Policy applies to:

- Employees
- Student workers
- Interns
- Temporary agency workers
- Consultants
- Freelancers
- Job applicants

2. Definitions

GDPR: General Data Protection Regulation. As of 25 May 2018, the General Data Protection Regulation (GDPR) or EU Regulation 2016/679 of 27 April 2016 is in force. It applies to every individual or organisation who collects or processes personal data within or outside of the EU.

Data subject : Any person who belongs to one of the categories listed under section 1 above and works for the GOSSELIN GROUP, or who, as a job applicant, is interested in working for the GOSSELIN GROUP.

GOSSELIN GROUP : The group itself and all its entities / divisions / affiliated companies where the data subject works or wants to work. All of these are also referred to as the "Employer".

3. Scope

This policy applies to the entire GOSSELIN GROUP and all its entities / divisions / affiliated companies.

4. Responsibilities

Responsible for the content and review of this Policy: GOSSELIN GROUP Legal & Risk Department

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5. POLICY

5.1 Data subject's rights under GDPR

As per GDPR, the employer (controller GOSSELIN) will lawfully, properly and transparently process the personal data supplied by the data subject, and the employer will only do so for specific, explicitly described and justified purposes, in accordance with the current privacy regulations as stipulated in the GDPR.

The employer will store the supplied data for the period necessary to fulfil their respective purposes. The employer will also ensure that all personal data are properly secured.

The data subject has the following rights concerning the supplied personal data:

5.1.1 The right to access personal data (GDPR Article 15):

The data subject has the right to obtain from the controller (GOSSELIN) confirmation as to whether or not personal data concerning him are being processed and, if so, to obtain access to that personal data and to the following information:

a. the purpose of processing;
b. the categories of personal data concerned;
c. the recipients or categories of recipient to whom the personal data have been or will be disclosed, particularly recipients in third countries or international organizations;
d. where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
e. the existence of the data subject's right to request from the employer rectification or erasure of personal data or restriction of processing of personal data concerning the data subject, or to object to such processing;
f. the right to lodge a complaint with a supervisory authority;
g. where the personal data are not collected from the data subject, any available information as to their source;
h. the existence of automated decision-making, as well as the significance and the envisaged consequences of such processing for the data subject.

Where personal data are transferred to a third country or to an international organisation, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

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The employer shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the employer may charge a reasonable fee based on administrative costs. If the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

5.1.2 The right to rectification (GDPR Article 16):

The data subject shall have the right to obtain from the employer without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

5.1.3 The right toe rasure (GDPR Article 17):

The data subject shall have the right to obtain from the employer the erasure of personal data concerning him or her without undue delay and the employer shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- the data subject withdraws consent on which the processing is based and there is no other legal ground for the processing;
- the data subject objects to the processing for legitimate reasons;
- the personal data have been unlawfully processed;
- the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the employer is subject;
- the personal data have been collected in relation to an offer of services.

Erasure of personal data is not obliged if the processing is necessary for the following reasons:

- for exercising the right of freedom of expression and information;
- for compliance with a legal obligation in Union or Member State law to which the employer is subject or for the performance of a task carried out in the public interest;
- for reasons of public interest in the area of public health;
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes;
- for the establishment, exercise or defense of legal claims.

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5.1.4 The right to restriction of processing (GDPR Article 18):

The data subject shall have the right to obtain from the employer restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by the data subject;
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- the employer no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims;
- the data subject has objected to processing.

Where the processing of personal data has been restricted, such personal data shall only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

5.1.5 The right to data portability (GDPR Article 20):

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to the employer, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller when:

- the processing is based on the data subject's consent;
- the processing is carried out by automated means.

5.1.6 The right to object (GDPR Article 21):

The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to the processing of personal data concerning him or her. The employer shall no longer

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process the personal data unless the employer demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to the processing of personal data concerning him or her for such marketing. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

5.1.7 The right to transparant information, communication an modalitites for the exercise of the data subject's rights (GDPR Article 12):

The employer shall take appropriate measures to provide any information relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language.

The employer shall provide information on action taken on a request to the data subject without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

If the employer does not take action on the request of the data subject, the employer shall inform the data subject without delay and at the latest within one month of receipt of the request of the reasons for not taking action and of the possibility of lodging a complaint with the Data Protection Authority (DPA) and seeking a judicial remedy.

(Data Protection Authority (DPA), Drukpersstraat 35, 1000 Brussels, tel. +32 (0)2 274 48 00 or via e-mail at contact@apd-gba.be, www.dataprotectionauthority.be).

Where requests from the data subject are manifestly unfounded or excessive, the employer may either charge a reasonable fee taking into account the administrative costs of providing the information or communication and taking the action requested; or refuse to act on the request.

The employer shall bear the burden of demonstrating the manifestly unfounded or excessive character of the request.

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5.2 Types of personal data an processing purposes:

The employer can process the following types of personal data:

- Contact information provided via the information sheet: *first and last name, e-mail address, date of birth, telephone number, cell phone number, street, postal code and city, nationality, identity card number, national registration number, bank account number, civil status (and name, date of birth and profession of the data subject's partner if he or she is married/cohabiting), name and date of birth of the data subject's children, whether the data subject has a driving license (and if yes, the driving license category, license plate and vehicle type at the data subject's disposal), whether the data subject has dependent children (and if yes, how many), name and telephone number in case of emergency.*

  The purposes of the processing of these personal data are to execute the employment contract.

5.3 Data subject's obligations

In the context of the execution of the data subject's tasks, he or she, shall be granted access to and/or informed of personal data of third parties (such as colleagues, customers and their contact persons, suppliers and their contact persons, job applicants, temporary workers, visitors, users of certain services, etc.).

In the context of this access to and/or knowledge of personal data and in accordance with the relevant legal provisions in the General Data Protection Regulation (GDPR), the data subject undertakes to do the following:

1. The data subject shall treat all data, including personal data, in a strictly confidential manner.

2. The data subject shall only process the personal data that are necessary to execute his or her tasks.

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This implies that the data subject:

- is only permitted to consult the necessary personal data.
- is only permitted to consult personal data at the moment when this is required for the execution of the data subject's tasks.
- is only permitted to disclose personal data to third-party recipients in the context of the execution of the employment contract if this disclosure of personal data is legally required.

3. The data subject shall notify the employer or, if applicable, the person responsible for data protection and privacy within the company, without delay of any personal data breaches.

The following occurrences are considered a personal data breach:

- Personal data are wrongly made available to third parties or to the public (data confidentiality infringement). Examples include the loss of a cell phone, USB stick or laptop, someone unlawfully accessing the data subject's computer, an e-mail with personal data sent to the wrong recipient, etc.
- Personal data are temporarily or permanently made unavailable or inaccessible (data availabil ity infringement). Examples include the loss of hardware or data, accidentally erasing data or a database, a cryptolocker virus, etc.
- The correctness of personal data is compromised (data integrity infringement). Examples include incorrect data synchronisation, uploading incorrect data, scrambler viruses, etc.

4. The data subject shall not in any way violate the confidentiality, integrity or availability of the personal data he or she has access to and/or knowledge of.
5. The data subject shall never process the personal data he or she has access to and/or knowledge of in the context of his or her employment for personal purposes or for the purposes of third parties, or consult, copy, store, transfer or in any way disclose or make available these personal data for such purposes.
6. The data subject shall comply to all other policies and instructions imposed by the employer in the context of data protection and security.

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6. Distribution

The QHSE folder and Gosselinfo.

7. References

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