



# **THE ABSL WORKPLACE PRIVACY POLICY**

Version of: April 2019



The primary goal of the Association of Business Service Leaders is, among other things, to support our Member companies in conducting regular information exchange as well as sharing experience and ideas. In order to enable our Members and Partners to conduct internal industry co-operation in the most effective and convenient way, we provide you with access to our space on an online platform called Workplace (hereinafter the "ABSL Workplace").

By using the ABSL Workplace, you provide us with your personal data and we strive to ensure that your privacy and your personal data are protected to the highest degree. The protection of privacy is key to us. This document describes what information about the ABSL Workplace users we collect, how we use it and who we share it with. Here you will also find out about your rights in relation to our processing of your personal data.

## 1. WHAT TERMS DO WE USE IN THIS PRIVACY POLICY?

- **ABSL, the Association, we, our** – the employers' association operating under the name of the Association of Business Service Leaders with its registered office in Warsaw at ul. Rondo ONZ 1, 00-124 Warsaw, entered in the National Court Register under number 340712;
- **ABSL Workplace** – a connectivity platform based on servers and software belonging to Facebook, in the Workplace Premium option, administered by ABSL; it includes websites, applications and related internet services provided in the Workplace Premium option;
- **Contact Details** – data including the forename, surname, business e-mail address, data identifying the employer, position; in the case of natural persons conducting business activity also data identifying the entrepreneur, i.e. the address of business activity, NIP and REGON;
- **GDPR** – 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 (General Data Protection Regulation);
- **You, your** – anyone whose personal data we process, i.e. we use or hold;
- **Services** – a service provided by ABSL to any User, namely making available the ABSL Workplace for use;
- **User** – a person authorized to use the ABSL Workplace.

## 2. WHO IS THE CONTROLLER OF YOUR PERSONAL DATA AND HOW TO CONTACT THE CONTROLLER?

The Controller of your personal data is the employers' association operating under the name of the Association of Business Service Leaders with its registered office in Warsaw at ul. Rondo ONZ 1, 00-124 Warsaw, entered in the National Court Register under number 340712.

If you have any questions regarding the processing of your personal data or your rights, please contact us:

- a) by letter: ul. Rondo ONZ 1, 00-124 Warszawa
- b) by e-mail: [absl@absl.pl](mailto:absl@absl.pl)

### 3. WHAT PERSONAL DATA DO WE PROCESS, FOR WHAT PURPOSE AND ON WHAT BASIS?

#### 3.1. Processing of the data provided by you

In connection with your using the ABSL Workplace, we may process the following categories of your personal data:

- a) Contact Details and other information relating to your work or organization;
- b) access data (i.e. user name and password);
- c) content, messages and other information you provide when you use the ABSL Workplace, including when you sign up for an account, create or share, and message or communicate with others. The information may be included in the content provided directly by you, such as your messages, published photos, opinions, suggestions and ideas or data regarding the same (such as metadata), for example information about the place where the picture was taken or the date file was created;
- d) information provided when seeking technical support.

The data you make available to us are processed for the purpose of providing the Services, i.e. when:

- a) granting permission to use the ABSL Workplace;
- b) verifying the Users' activity on the ABSL Workplace;
- c) co-operating with Facebook which owns the servers and software based on which the ABSL Workplace operates (more details in section 4 below);
- d) communicating with the Users, creating new threads and adding content.

**Legal basis** – processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract. The contract referred to in the preceding sentence is the agreement for provision of services of making the ABSL Workplace available for use, concluded at the time of the first login, between the ABSL and every User (Article 6(1)(b) GDPR).

## 3.2. Processing of the data provided by other Users

We may receive your personal data from other persons (data from other sources), e.g. as part of content, messages and information provided by other persons while using the ABSL Workplace. This can include information about you, such as when others share or comment on a photo of you, send a message to you or upload, sync or import your contact information.

The personal data received from third parties are processed for the purpose of providing the Services, i.e. when:

- a) co-operating with Facebook, which is the owner of the servers and software based on which the ABSL Workplace operates (more details in section 4 below);
- b) communicating with the Users, creating new threads and adding content.

**Legal basis** – legitimate interests pursued by us (Article 6(1)(f) GDPR), namely to make sure that the Services may be provided, account being taken of the results of the so called “weighing of interests” (see section 3.4. below).

## 3.3. Data we collect automatically when you use the ABSL Workplace:

### 3.3.1. Information on how and on what devices the ABSL Workplace is used

Information on certain User behavior are subject to an automated server log. The data are used only to administer the ABSL Workplace and to provide the most efficient Service support possible.

The data may include information such as access dates and times, login time, time of entering data into the ABSL Workplace, name of the User’s station – identification carried out by the HTTPS protocol, information about errors that occurred during the execution of the HTTPS transaction, information about the User’s browser. In some cases, we use cookies to collect the information (see below – Information on cookies), pixel tags and similar technologies, which generate and store unique identifiers.

We may also collect information about the device on which the User accesses our Services, including information about hardware models, IP address of the device, operating systems and versions, software, file names and versions, preferred languages, unique device identifiers, serial numbers, information about the device’s movement and information about the cellular network.

**Legal basis.** Our legitimate interests (Article 6(1)(f) GDPR), namely to improve your experience of the ABSL Workplace and improve its functionality, pursued among others in co-operation with Facebook, account being taken of the results of the so called “weighing of interests” (see section 3.4. below).

### 3.3.2. Information on cookies

When providing the Services, we use cookies.

Cookies are IT data, in particular text files, which are stored on the User's end device and are intended for the use of the ABSL Workplace websites. Considering that the Service is provided on a Facebook platform, the company has access to the data processed in the cookies. By clicking the link below, you may find out more about the rules of using cookies and how to manage their sharing:

[https://www.workplace.com/work/legal/FB\\_Work\\_Cookies/?show\\_chrome=false](https://www.workplace.com/work/legal/FB_Work_Cookies/?show_chrome=false)

**Legal basis.** Our legitimate interests (Article 6(1)(f) GDPR), namely to co-operate with Facebook to provide the ABSL Workplace to you, account being taken of the results of the so called "weighing of interests" (see section 3.4. below).

### 3.4. Weighing of interests

Having weighed our interest and your interests, rights and freedoms, we believe that by processing your personal data for the purposes indicated in sections 3.2. and 3.3. will not excessively interfere in your privacy or constitute an excessive nuisance for you. In the course of weighing the interests, rights and freedoms we have considered the following:

- a) limited scope of the data – the ABSL makes sure that the Users place on the ABSL Workplace data regarding their professional sphere of life only (more on the User's rights and obligations in our **Regulations**);
- b) by applying for access data to use the ABSL Workplace, by logging on to the platform and placing content, messages and communications:
  - you have expressed your desire to communicate with other Users, including the willingness to share the provided content with other Users, therefore, we have assumed that you may reasonably expect the Users to invoke the content you provide, make a reference to it and share your personal data with the other Users in such scope;
  - you have been aware that the Service is provided remotely, over the Internet, where information about certain User behaviors is subject to automated server and cookie logs, therefore, we have assumed that you may reasonably expect that your data will be processed to the extent and for the purposes indicated in section 3.3. and you accept it;

- you have been aware that ABSL Workplace operates on a Facebook platform, i.e. that the owner of the server on which the data on the platform is saved is Facebook, therefore, we have assumed that you may reasonably expect that your data placed on the platform and processed in connection with your use of the ABSL Workplace will be available also to Facebook.
- c) we respect your will and ensure you the possibility of exercising your right to object to the processing of your personal data based on the grounds of legitimate interest (Article 6(1)(f) GDPR) at any time, at your convenience (by email at [workplace@absl.pl](mailto:workplace@absl.pl), and in the case of cookies, in accordance with the guidelines on [https://www.workplace.com/work/legal/FB\\_Work\\_Cookies/?show\\_chrome=false](https://www.workplace.com/work/legal/FB_Work_Cookies/?show_chrome=false)).

## 4. HOW ARE YOUR PERSONAL DATA SHARED?

### 3.4. Weighing of interests

The Workplace service is provided based on servers and software belonging to Facebook. As a consequence, Facebook has access to all the data placed on the ABSL Workplace and collected through it. We transfer your personal data to Facebook, using mechanisms in accordance with the applicable law which include, in particular, Facebook having a certificate of compliance with the Privacy Shield.

The personal data shared with Facebook may be used:

- a) in communication between Facebook and us or you in connection with the use of the Service;
- b) to improve security, for instance to investigate suspicious activity or violations of applicable regulations and rules;
- c) to personalize the Service in terms of the ABSL's and User's needs;
- d) for the purpose of Facebook developing for the ABSL new tools, products and services connected with the Service.
- e) to compile a list of activities related to the Service, performed on different devices operated by the same person, in order to improve the overall performance of the Service;
- f) to identify possible problems and to find their solutions;
- g) to perform data and system analyses, including to conduct research to improve the Service

Moreover, your personal data shared on the ABSL Workplace (i.e. published content, messages, communications, including pictures, opinions and comments) will be visible and accessible to:

- a) all the other Users of the ABSL Workplace, namely persons employed (i.e. employees, associates) by our Members and Partners;
- b) persons acting on behalf and for the benefit of the Association (our employees and associates).

Your personal data may be also provided to the following recipients:

- a) third-party service providers who assist in the provision of the Service in whole or in part;
- b) applications, websites and other third-party services that one can connect with when using the Service;
- c) to ensure safety of any person, as well as in response to a fraud or as a result of technical or security problems;
- d) entities with which the ABSL cooperates in the scope of accounting and legal services,
- e) to competent state authorities if such an obligation results from the mandatory provisions of law

In the event that your personal data are transferred to third countries, i.e. to recipients located outside the European Economic Area or Switzerland, we will transfer your personal data using measures that are consistent with applicable law, including, but not limited to, (1) EU Standard Contractual Clauses, (2) third-party certification of compliance with the Privacy Shield (in the event it is located in the United States), (3) where the data transfer occurs to a third country for which the European Commission issued the adequacy decision. More information about the existing security measures implemented by the Controller to ensure the processing of personal data in accordance with the relevant regulations and about the possibilities of obtaining a copy of data or about the place where the data are made available can be obtained by contacting us in the manner indicated in section 2 above.

## 5. HOW LONG DO WE RETAIN YOUR PERSONAL DATA?

The personal data of the ABSL Workplace User are stored until the User's account is deleted.

Your personal data in the content, messages and information provided by other persons when using the ABSL Workplace are removed immediately after you have expressed objection to processing your personal data in that respect.

## 6. WHAT ARE YOUR RIGHTS WITH REGARD TO PERSONAL DATA?

Profiling of personal data of the Users may take place while processing personal data contained in cookies and as part of co-operation with Facebook, which owns the servers and software based on which the ABSL Workplace operates (more details in point 4 above).

- a) **Access to personal data.** You can exercise your right of access to your data at any time.
- b) **Rectification and supplementation of data.** You have the right to request the Controller to rectify your personal data which are inaccurate without delay as well as to request that incomplete personal data be supplemented
- c) **Right to erasure of data.** You have the right to request the Controller to erase your personal data without delay in any of the following cases:
  - if the personal data are no longer necessary for the purposes for which they were collected or otherwise processed;
  - if the data subject has withdrawn the consent on which the processing is based and there is no other legal basis for the processing;
  - if you object to the data processing as referred to in point e) below and there are no overriding legitimate grounds for the processing of data;
  - if the personal data are processed unlawfully;
  - if the personal data must be erased in order to comply with a legal obligation provided for in the European Union law or in Polish law;
  - if the personal data have been collected in connection with the provision of information society services.

However, the Controller will not be able to erase your personal data to the extent that their processing is necessary (i) to exercise the right of freedom of expression and information, (ii) to comply with a legal obligation requiring processing under the European Union or Polish law, (iii) to establish, pursue or defend claims.

- d) **The right to restriction of data processing.** You have the right to request the Controller to restrict the processing in the following cases:
- you question the accuracy of personal data – for a period enabling the Controller to verify the accuracy of such data;
  - the processing is unlawful and you object to the erasure of personal data by requesting that the use of the data be restricted instead;
  - the Controller no longer needs your personal data for the purpose of processing but they are necessary for you to establish, pursue or defend your claims;
  - you have objected to the data processing as referred to in point e) below– until such time as it is determined whether legitimate grounds on the part of the Controller override your grounds for objection.
- e) **Right to object.** You have the right to object to the processing of your personal data in the event that the Controller processes such data in the performance of a legitimate interest, including for the purpose of direct marketing. To the extent that the data are processed for a purpose other than direct marketing, the Controller may reject the objection if the Controller shows that there exist legitimate grounds for processing that override your interests, rights and freedoms or the grounds for establishing, asserting or defending claims.
- f) **Right to withdraw consent.** To the extent that your personal data are processed on the grounds of your consent, you have the right to withdraw your consent at any time. The withdrawal of consent shall not affect the lawfulness of the processing carried out on the basis of the consent prior to its withdrawal.
- g) **Right to data portability.** To the extent that your data are processed for the purpose of concluding and performing a contract or are processed on the basis of your consent and data processing is automated, you have the right to receive from the Controller your personal data which you have provided to the Association in a structured, generally used and machine-readable format. You also have the right to transfer such personal data to another controller.

- h) **Right to complain.** You have the right to lodge a complaint against the processing of personal data by the Controller with a supervisory authority, namely the President of the Office for the Protection of Personal Data in the case of Poland.

The rights referred to in points a) to g) above may be exercised by contacting the Controller in the manner specified in section 2 above, i.e. by contacting [absl@absl.pl](mailto:absl@absl.pl)

In order to exercise the right to complain referred to in point h) above, you should contact the supervisory authority directly.

## **7. AUTOMATED DECISION-MAKING**

Profiling of personal data of the Users may take place while processing personal data contained in cookies and as part of co-operation with Facebook, which owns the servers and software based on which the ABSL Workplace operates (more details in point 4 above).

## **8. AUTOMATED DECISION-MAKING**

When necessary, this ABSL Workplace Privacy Policy may be amended and added to, in particular if the need or obligation to introduce such amendments results from changes in applicable laws.

We will inform you about any changes or additions by posting relevant information on the ABSL Workplace.

This Privacy Policy does not limit any rights vested in you in accordance with the law.