

# **SERVICE FEDERAL CREDIT UNION EUROPEAN UNION PRIVACY NOTICE**

**Effective Date: May 25, 2018**

In addition to complying with United States and New Hampshire privacy and data protection laws, the Service Federal Credit Union ("Credit Union") intends to comply with the new European Union's General Data Protection Regulation, ("GDPR"), and the German Federal Data Protection Act, to the extent applicable to employees of the Credit Union's European Union operations, and where those obligations do not conflict with United States law and regulations to which the Credit Union must comply, and which apply to all overseas Credit Union employees. The Credit Union is working in good faith to comply fully with all the GDPR provisions as soon as feasible, with due regard to the nature of employee personal data and the processing risks.

## **Scope**

This Privacy Notice applies **only** to Credit Union employees permanently assigned to its German operations and is in addition to the rights and responsibilities stated in the Employee Manual. Overseas employees remain employees at will.

If you are also a member, the European Union Privacy Notice also applies to you and your personal data as a member, and can be found in the Privacy Center on the Credit Union website.

## **Definitions**

For the purposes of this Privacy Notice, the following definitions apply:

- "Personal Data" means any information relating to an identified or identifiable employee, former employee, or employment applicant. Such data is not limited to non-public personal information.
- "Sensitive Personal Data" means employee Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data to uniquely identify an employee, data related to an employee's physical or mental health, data on an employee's sex life or sexual orientation, and criminal history. The Credit Union does **not** collect data on an employee's racial or ethnic origin, political opinions, philosophical beliefs, union membership, genetic data, or data on the employee's sex life or sexual orientation. The Credit Union processes Sensitive Personal data only in limited circumstances - see page 2.
- "Processing" and "Processes" means any operation or set of operations performed on Personal or Sensitive Personal Data sets of that data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure, dissemination or making available, alignment or combination, restriction, erasure, or destruction.

## **Collection of Employee Data**

The Credit Union collects and Processes Personal Data, including but not limited to:

- Name, home and personal email address, home telephone number, and date of birth;
- Gender and marital status;
- Government identification and proof of United States citizenship;
- Social security or other taxpayer identification number;
- Banking details including account numbers;
- Emergency contact name and phone number;
- Background check information:

- Verification of previous employment;
- Previous addresses;
- Credit history; and,
- Education verification;
- Military identity card information (for United States and NATO military base access);
- Employee dependent or beneficiary information: name, address, date of birth, social security or tax identity number, and gender;
- Hire and promotion dates, work history, technical skills, education, professional certifications and registrations, language capabilities, and training courses attended;
- Records of work absences, PTO accrual and requests, salary history, performance appraisals, letters of commendation, and disciplinary and grievance procedure documentations;
- Driving license number, vehicle license plate number, and driving history;
- Information captured on security systems, including CCTV and key card entry systems;
- Voicemails, e-mails, correspondence, and other work product and communications an employee creates, stores or transmits using Credit Union computer or communications equipment; and,
- Date of and reason for resignation or termination, and information relating to administering termination of employment (e.g., references).

In limited circumstances, and only with employee consent or for legitimate reasons, the Credit Union may collect and process Sensitive Personal Data including but not limited to:

- Information concerning the commission or alleged commission of a criminal offence, for employment background checks and bonding purposes;
- Religious beliefs solely for the purpose of accommodating religious holidays and practices;
- Physical or mental health or condition for the purpose of employment accommodation, disability claims, FMLA or leave processing, or health insurance;
- Emergency contact relationship to employee to assist with appropriate emergency notifications;
- Dependent or family physical or mental health or condition for the purpose of protected leaves of absence; or,
- Photograph for employment identification and fingerprint for PC access.

### **Use of Employee Personal or Sensitive Data**

The Credit Union only collects and Processes Personal or Sensitive Personal Data for:

- Employee recruiting, hiring, and onboarding;
- Payroll administration;
- Employee benefits administration, including health insurance enrollment and claims, and disability claims;
- Employee bonus program administration;
- Employee complaint investigation and response;
- Employee performance evaluations, discipline, and termination; and
- Retirement plan administration.

## **Lawfulness of Processing**

The Credit Union Processes Personal Data only to satisfy obligations and benefits the Credit Union has agreed to provide its overseas employees, or as necessary to comply with a legal obligation to which the Credit Union is subject.

The Credit Union Processes Personal Sensitive Personal Data only where the employee has given consent to the Processing of that data for one or more specified purposes; where Processing is necessary to satisfy the obligations and exercise specific rights of the Credit Union or the employee for employment, social security or other social protection law; where Processing is necessary to protect the employee's vital interests; or where Processing is necessary for the establishment, exercise, or defense of legal claims.

## **Employee Data Rights**

Subject to some restrictions, Credit Union employees have the right;

- To confirm the Credit Union is Processing their Personal or Sensitive Personal Data;
- To access their Personal or Sensitive Personal Data subject to any legal exceptions to access;
- To request correction of inaccurate Personal or Sensitive Personal Data or to have incomplete data completed;
- To require the erasure of their Personal or Sensitive Personal Data, to the extent feasible and subject to United States and New Hampshire record retention laws and regulations, which may require data retention for a specified time period;
- To block or restrict the Processing of their Personal or Sensitive Personal Data;
- To receive their Personal or Sensitive Personal Data in a format which may be transferred to another company;
- To object to a decision based solely on automated Processing of their Personal or Sensitive Personal Data, including profiling, unless necessary for entering into or performing an obligation between them and the Credit Union; and,
- To file a complaint with the relevant European Union state data procession authority.

## **Security**

Considering data security stat of the art, the implementation costs, and the nature, scope, context and purpose of Processing, as well as the risk of varying likelihood and severity to employee rights and freedoms, the Credit Union has implemented appropriate technical and organizational measures to ensure a level of data security appropriate to the risks, detailed in the Credit Union's Information Security Program.

Service Credit Union periodically trains and tests all employees, stateside and overseas, on general data security practices and required information security practices applicable to employees. It is the responsibility of all employees to protect the confidentiality of all Personal and Sensitive Personal Data.

## **Disclosures to Third Parties and Affiliates**

Personal or Sensitive Personal Data is only disclosed to third parties in the following limited circumstances:

- Employee recruiting, hiring, and onboarding, including background and credit checks;
- Payroll administration;
- Employee benefits administration including health, dental, life, and worker's compensation insurance and claims;

- Processing employee disability claims;
- Employee bonus program administration; and
- 401(k), 457(b), and pension plan administration.

**Data Transfer to Corporate Headquarters**

The Credit Union's Human Resources Department is located at its Portsmouth, New Hampshire headquarters. The Credit Union transfers Personal and Sensitive Personal Data from Germany to its Portsmouth, New Hampshire, headquarters for processing only to satisfy obligations and benefits the Credit Union agreed to provide its overseas employees, or as necessary for compliance with a legal obligation which the Credit Union is subject.

**Data Retention and Destruction**

The Credit Union is implementing processes to retain Personal and Sensitive Data only for as long as it is required to do so under United States federal and state law applicable to the Credit Union, including a comprehensive record retention and destruction schedule. For example, United States federal employment law obligates the Credit Union to retain employee payroll records for three years.

**Credit Union Privacy Contact Information**

For questions or complaints regarding this Privacy Notice, please contact the AVP Enterprise Risk & Security, the Credit Union's Data Protection Officer, at [GDPR@servicecu.org](mailto:GDPR@servicecu.org), or May Hatem, Chief Human Officer at [mhatem@servicecu.org](mailto:mhatem@servicecu.org) or x8359.

**Employee Acknowledgment**

I have read and understand this Service Federal Credit Union European Union Employee Privacy Notice.

Date:

Employee:

Employee Signature: