

ABU Privacy Statement

The ABU (Federation of Private Employment Agencies) attaches great value to the protection of your personal data. We consider respect for privacy and careful handling of personal data to be an important part of the reliability of our organisation. This Privacy Statement tells you how we handle your personal data. This Privacy Statement applies to both members of the ABU (see specifically Article 1 below) and non-members of the ABU (see specifically Article 2 below). All other articles apply to both groups of data subjects.

1. Processing of personal data of ABU members

We are committed to serving you as best we can. We want to offer you targeted and personal services and ensure that the benefits of ABU membership can be optimally utilised. For this, we need the personal data of our members' contact persons.

What data do we need from you or your contact person?

When registering for membership with the ABU, we request that you provide the following information about yourself and/or the contact person within your organisation (these are the personal data that we process):

- First name and surname
- Mobile number
- Email address
- Position
- Postal address

Periodically we may request you and/or the contact person within your organisation to update this information. If there is a change in the contact person, we request that you provide us with the above details of this new contact person. If desired, we will delete the personal data of the old contact person.

For what purposes do we use the personal data?

ABU only processes the personal data for the following purposes:

- Information provision
- Communicative purposes
- Maintaining contacts for lobbying activities
- Accounting
- Calculating, determining and collecting contribution
- Sending invitations to (members') meetings
- Organising physical and online meetings (such as committees, working groups, think tanks, training and webinars)
- Customer relationship management
- Advice
- Answering questions via the Helpdesk, with the questions, answers and contact details being kept for knowledge building

What legal basis do we have for data processing?

In principle, personal data will only be processed if this is necessary for the performance of the agreement on which ABU membership is based. The data are necessary to give effect to the ABU membership.

Where relevant, the ABU may also base the processing of personal data on one of the following conditions (grounds):

- You have given your consent.
- It is necessary to meet a statutory obligation imposed on the ABU.
- It is necessary to protect the vital interests of you and/or your contact person or of another natural person.
- It is necessary for the purposes of the legitimate interests pursued by the ABU or a third party, except where the interests or fundamental rights and freedoms of you and/or your contact person outweigh the interests of the ABU and/or the third party.

2. Processing of personal data of non-members

The ABU also processes personal data of non-members in order to properly fulfil its role as a trade association. This includes, for example, clients, suppliers and stakeholders, but also whistleblowers who report an incident to the ABU about an ABU member.

What data do we need from you or your contact person?

We may process the following personal data on you or your contact person (in the case of a company):

- First name and surname
- Mobile number
- Email address
- Position
- Postal address

If you are a client or supplier, we may periodically request you to update this information. This way we always have the right contact person in our system. If there is a change in the contact person, we request that you also provide us with the above details of this new contact person. If desired, we will delete the personal data of the old contact person.

If personal data are processed that we have not received directly from you but via publicly accessible sources, you will be informed within one month about what type of personal data is involved and what the source of the personal data is.

For what purposes do we use the personal data?

ABU only processes the personal data for the following purposes:

- Service provision
- Information provision
- Communicative purposes
- Maintaining contacts for lobbying activities
- Establishing, maintaining and executing the agreement between the ABU and the (company of the) client
- Maintaining a business relationship
- Accounting
- Customer relationship management
- Acquisition of new members
- Compliance with statutory obligations imposed on the ABU
- The (internal) handling of a report on an ABU member
- To allow the ABU Arbitration Tribunal to handle a report

What legal basis do we have for data processing?

The personal data are only processed if one of the following conditions (legal bases) has been met:

- You have given your consent.
- It is necessary for the performance of an agreement to which you are a party.
- It is necessary to meet a statutory obligation imposed on the ABU.
- It is necessary to protect the vital interests of you and/or your contact person or of another natural person.

- It is necessary for the purposes of the legitimate interests pursued by the ABU or a third party, except where the interests or fundamental rights and freedoms of you and/or your contact person outweigh the interests of the ABU and/or the third party. This basis applies (among other things) when sending publications. In the interests of full transparency, below is an explanation of the basis of legitimate interest in so far as this is relied upon for sending publications.

Explanation of legitimate interest in processing personal data for sending publications

According to its articles of association, the ABU aims to "promote the general interest of its members and everything related to this, including 'expansion of the market'." In this context, the ABU is a labour market knowledge institute and carries out lobbying activities as a representative entity. Part of this role is information provision.

The ABU regularly distributes publications, particularly on labour market-related topics. This includes newsletters, reports, white papers, publications, press releases, etc. These are sent by regular mail and/or e-mail to stakeholders, such as people working in the media, central government, advisory and implementation bodies, representative entities/employer organisations, etc. These persons have in common that they receive ABU publications by virtue of their position, at the postal address/email address of their organisation. In order to distribute the publications, the ABU processes personal data (as mentioned in the Privacy Statement above). The basis for processing personal data is legitimate interest, as referred to in Article 6 paragraph 1 (f) GDPR.

Legitimate interest consists of the fact that contact with stakeholders is crucial for gathering and sharing knowledge and conducting effective lobbying, which is necessary for promoting the interests of ABU members, as referred to in the articles of association. An appeal to legitimate interest requires a balancing of interests between the legitimate interest of the ABU and the interests/rights/freedoms of the data subjects. In this context, it is relevant that the infringement of the privacy of the data subjects is very minor. This concerns personal data that have a business nature. In almost all cases, maintaining contacts with (parties such as) the ABU is inherent to the position of the data subject. The ABU therefore believes that there are no interests/rights/freedoms for the data subjects that outweigh the legitimate interest of the ABU.

Explanation of processing personal data of persons reporting

If you report a matter to the ABU about an ABU member, the ABU will attempt to find a solution through mediation. In order to process the report, we need some personal data from you.

The report can be made here: <https://mijn.abu.nl/meldingdoen>. There you can also see which (personal) data we need from you. By sending the report (the web form) you give permission to the ABU to process your (personal) data.

As with all personal data that we process, we will also treat your (personal) data confidentially. The (personal) data that you share with us in the context of the report will also be used exclusively to process and further handle your report. Your (personal) data will only be processed by the persons within the ABU who need to take note of your (personal) data in order to process the report. Your (personal) data will therefore not be shared with the company about which you are reporting, unless you have given your express written permission to do so.

If mediation does not have the desired outcome, the matter can be submitted to the ABU Arbitration Tribunal at the request of the whistleblower. In that case, we will share your (personal) data with the Arbitration Tribunal. This gives the Arbitration Tribunal the opportunity to handle the matter. If the dispute concerns compliance with the *Collective Labour Agreement for Temporary Workers*, a separate Disputes Committee has been set up for this purpose, with which your (personal) data will be shared.

3. Provision to third parties

The ABU does not share, sell or rent any personal data you have provided to the ABU to third parties. The ABU will only provide your personal data to third parties in the situation(s) mentioned below.

The ABU engages third parties and/or processors to provide services, for example the software supplier, the IT manager, the printer, or other business relations and government agencies. The ABU may provide personal data to these third parties. This will only ever be done if it is necessary for the purpose of processing, for the performance of a statutory obligation or with your express consent. The provision of personal data is always in

accordance with the purpose of processing of personal data. The ABU obliges these parties to use your personal data exclusively in connection with the services they provide and ensures that your rights are contractually guaranteed as best as possible. Your personal data may be transferred outside the Netherlands. Transfers will only take place to countries with an adequate level of protection.

4. Personal data security

The ABU takes appropriate technical and organisational measures to prevent the loss of personal data or unlawful processing. For example, data are sent via the website using a secure connection, security awareness is continuously monitored, equipment is physically secured, access to the building is secured, access to personal data is limited to those who need it to perform their duties and there is a procedure for handling data breaches.

If data is provided to processors who provide services on behalf of the ABU, the ABU has concluded a processing agreement with them. Optimal security has also been agreed with the processors (to the extent that this can reasonably be expected).

5. Retention periods

The ABU does not retain your data for longer than is necessary for the purpose of processing. After the (statutory) retention period, your personal data will be destroyed.

For members, personal data will in principle be deleted within two years after membership has ended, unless it is necessary for the personal data to be retained for a longer period, for example for accounting or questions asked via the Helpdesk. Signatures on attendance lists will be removed within one month after the meeting has taken place. Personal data will be deleted if you request the ABU to delete your personal data (unless the ABU is legally obliged to retain the data for a longer period).

6. Cookies and website metrics

By using our website you share data with us via functional, analytical and tracking cookies. For the management of the website, technical information is shared with Google Analytics, Mailchimp and Hotjar. The ABU uses analytical, functional and tracking cookies for Google Analytics, Mailchimp and Hotjar. This will be explained in more detail below.

Explanation of different types of cookies

Analytical cookies help collect information about how visitors use the website. They are used, among other things, to measure visitor numbers, pages visited and traffic sources. *Functional cookies* are intended to enhance visitor experiences through features such as remembering login details. *Tracking cookies* are used to track users across websites. During the very first visit to the ABU website, explicit consent is requested to collect functional, analytical and/or tracking cookies.

The ABU uses these cookies to discover how visitors navigate through the website and where optimisations are possible.

Explanation of tracking on 'My ABU' (members' network)

Through **'My ABU'**, the ABU also uses tracking cookies. The ABU uses the tracking cookies for the following purpose: to collect demographic data (age, gender, location, language preferences), browser type, device type and online behaviour (how long visitors stay on a page, which pages they visit, etc.).

Explanation of tracking on Google Analytics

The ABU uses Google Analytics to analyse website use. Through Google Analytics, the ABU collects data about the number of users who visit the website and from which page these visitors/users were forwarded to the ABU website. The following (personal) data are collected via Google Analytics: type of device, surfing behaviour on the website (such as which data/pages are viewed and for how long, and how the website is navigated), the dates and times of the visit to the ABU website, the operating system used, the geolocation, the browser type, the internet provider, the internet address of the website to which the link is made, the data downloaded from the website and link tracking to recognise where visitors come from.

Explanation of tracking on Mailchimp

Mailchimp is used, among other things, to send ABU newsletters to members. When creating an account for 'My ABU', you agree to receiving the ABU newsletter as well as to the [general terms and conditions of Mailchimp](#). With every newsletter the user has the option to unsubscribe from the newsletter. In Mailchimp, the ABU can see how often a newsletter or email is opened, which parts are clicked on and the frequency of clicking. Personal data collected include gender, name, age and email address. More information about this can be found in Mailchimp's privacy statement: <https://www.intuit.com/privacy/statement/>.

Explanation of tracking on Hotjar

Through Hotjar, the ABU collects data about general website use. Heatmaps of video recordings are also collected, with information about which buttons are clicked and how far they are scrolled. This only concerns screen recordings that have been made. To collect data in Hotjar, the ABU has a Javascript tracking code on the website that sends information to Hotjar (to Hotjar servers in Ireland). You may opt out of the creation of a profile, the storage of data by Hotjar relating to your use of the ABU website and the use of tracking cookies by Hotjar by using the opt-out link below: <https://www.hotjar.com/policies/do-not-track>.

Retention periods

Data that are shared with Google Analytics are kept for a fortnight. In Hotjar, all data, including raw and edited video recordings of website visits, are automatically deleted after 365 days. In Mailchimp, the data will be retained for as long as you give consent for this. You have the option to unsubscribe at the bottom of each published newsletter. After unsubscribing, the data will be deleted from Mailchimp.

7. Your privacy rights

You have the following rights with regard to the processing of your personal data by the ABU:

- The right to access the personal data that we process about you.
- The right to have your personal data adjusted or corrected (right of rectification).
- The right to restrict the processing of your personal data.
- The right to request that your personal data be transferred (right to data portability).
- The right to have your personal data erased (right to be forgotten).
- The right to object to the processing of your personal data.
- The right to lodge a complaint.

If you would like to exercise one of these rights or you have any questions about them, please contact Doretta Asare, Legal Affairs policy advisor at the ABU: asare@abu.nl.

8. Contact

If you have any questions, complaints or comments about the protection of your personal data or if you wish to exercise one of the rights mentioned above, you can contact the ABU. You can do so by email at asare@abu.nl or by regular mail to Singaporestraat 74, 1175 RA Lijnden, c/o Doretta Asare, Legal Affairs policy advisor at the ABU. You can also always contact the Dutch Data Protection Authority.

The ABU will process your questions, complaints or requests and respond to them within four weeks at the latest.

9. Amendments to this Privacy Statement

This Privacy Statement may be amended from time to time, for example if new laws and regulations give reason to do so. We recommend that you regularly consult the most current version of this Privacy Statement at <https://www.abu.nl/privacy/> so that you are aware of these changes.

This Privacy Statement was most recently amended on 19 August 2024.