

Data file name: Employees and Independent Workers on Construction Sites Where Are Oy Is the Main Contractor

Last updated: October 24, 2022

1. Data controller and contact information for matters related to data file

Name: Are Oy (business ID: 0989493-6)
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2. Types of data processed and the purpose and legal basis of processing personal data

With regard to a construction site's data file, we process the following personal data of employees and independent workers working on the site as well as that of contractors' contact persons:

TYPES OF PERSONAL DATA	PURPOSE OF THE PROCESSING	LEGAL BASIS
Basic information and contact information , such as first name and last name, mailing address, e-mail address, phone number, date of birth or social security number, tax number	Construction project execution, work performance supervision and evaluation, construction site safety measures and fulfilment of reporting duties	Fulfilment of legal obligations (incl. the Tax Assessment Procedure Act, the Decree on the Safety of Construction Work, the Occupational Safety And Health Act)
Information required by the Occupational Safety And Health Act , such as the work start and end date at the construction site, employee's employer's name, contact information and business ID or an equivalent foreign identifier, site-specific onboarding information, information related to the task and the object under construction	Construction project execution, work performance supervision and evaluation, construction site safety measures	Fulfilment of legal obligations (the Occupational Safety And Health Act, the Decree on the Safety of Construction Work)
Construction site specific access permit information , such as access event data, number of access control key and access right group	Managing safety of the construction site, the facilities and the individuals in the area, work performance supervision	Legitimate interest
Information required to ensure that foreign workforce and working abroad has been legally arranged (in terms of e.g. residence permits)	Construction project execution, work performance supervision and evaluation,	Fulfilment of legal obligations (incl. Act on Posting)

and to fulfil reporting duties, such as representative's name and contact information in Finland, residence permit number, citizenship, copy of passport or identity card	construction site safety measures	Workers, Aliens Act)
Information regarding contractor liability , such as applicable collective bargaining agreement, proof of employees' pension insurances and contributions thereof as well as proof of regulation concerning the employees' social security	Construction project execution, fulfilment of reporting duties related to the contract and the use of external workforce	Fulfilment of legal obligations (Act on the Contractor's Obligations and Liability when Work is Contracted Out)
Other information required for taxation purposes , such as identification data of the party subject to the obligation to provide information, as well as the contact person and their contact information, location of the construction site, information pertaining to insuring foreign employees, information regarding the nature of employment, identification data of the employer and the temp agency and information regarding the contractor and its employee that is processed on the grounds of the agreement.	Fulfilment of reporting duties related to taxation	Fulfilment of legal obligations (Tax Assessment Procedure Act, Tax Administration's information-reporting requirement in the construction industry)

3. Data sources

As a rule, the data in the data file is collected directly from the data subject or the contractor. However, personal data may also be collected and updated from public and private data files as permitted by law.

Information on site entries/exits is collected automatically from time clocks that individuals use to clock in with their access passes. In exceptional cases, site entries/exits may be registered manually.

4. Data transfers outside of the EU or the EEA

As a rule, information in the data file is disclosed in accordance with legal obligations to authorities and other establishments, such as the tax administration, the occupational safety and health authority, public employment and business services as well as union representative and occupational safety representative. We may also disclose information to our partners to fulfil our contractual or legal obligations.

We mainly process the data ourselves, but we also employ contractors who process personal data on our behalf, for instance, in conjunction with the provision of IT administration services. As we transfer personal data to a data processor, we ensure by way of e.g. contractual arrangements that the processor of personal data only processes the data in accordance with our written instructions.

All personal data is stored within the EU/EEA. However, the IT administration systems we use may allow the service provider to access the data outside the EU/EEA, such as

in the United States. If personal data is processed outside the EU or the EEA, we ensure that the contractor is committed to adhering to the protective measures specified in the General Data Protection Regulation, such as the standard contractual clauses for the transfer of personal data adopted by the European Commission.

5. Data security and data retention

The data security of all manually entered materials and data in the data file has been secured as required by law. Access is provided only to individuals who have been designated by Are and who need the data in their work. They access the data with user IDs and passwords. The data is located in a closed network that has been secured technically by means of a firewall.

We retain the personal data as long as is necessary for its purpose of use or for us to fulfil our legal obligations. For instance, information required by the Tax Assessment Procedure Act and the Occupational Safety And Health Act is retained for six years after the conclusion of the year during which the construction was finished. Data collected in accordance with the Act on the Contractor's Obligations and Liability when Work is Contracted Out shall be retained for a minimum of two years after the completion of work related to the contract.

6. Your rights as a data subject

You are entitled to review your information and demand rectification or erasure of any erroneous, obsolete or illegitimate data. You have the right to object and restrict the processing of your data and the right to file a notice of appeal to a supervisory authority (the Office of the Data Protection Ombudsman). Contact information for the Office of the Data Protection Ombudsman is available at www.tietosuoja.fi/en.

For specific personal reasons, you also have the right to object to processing of your personal data when the processing is based on our legitimate interest. Upon raising the objection, you must specify the particular situation on which you object to processing of your personal data. We may only refuse to honour the request to object by demonstrating compelling legitimate grounds to do so.

7. Contact information and privacy statement revisions

We kindly ask you to make all requests regarding this privacy statement in writing or in person in the address specified in the first (1) paragraph.

Are may revise and update the privacy statement where necessary. Where required by applicable legislation, the revisions are reviewed with our employees. However, we recommend that you review this privacy statement from time to time.