

## European Economic Area (EEA) Privacy Statement for Job Applicants, Faculty, Staff, Consultants and Other Persons Providing Services

The following statement has been prepared to provide notice to job applicants, faculty, staff, consultants and other persons providing services whose EEA Personal Data is collected, used or otherwise processed by Tufts University. This statement provides notice under the General Data Protection Regulation (GDPR) for the European Economic Area (EEA). The GDPR became effective on May 25, 2018. The GDPR is a regulation adopted for the EEA that governs the use and processing of personal information. Tufts is committed to processing your EEA Personal Data in compliance with the GDPR and has prepared this statement to provide you with information about your rights under the GDPR.

This statement should be read together with the [EEA Privacy Statement](#).

Specific sections are as follows:

- I. For job applicants:
- II. Supplement for job applicants undergoing background checks (e.g. criminal records, security, visas):
- III. For faculty, staff, consultants, and other persons providing services:
- IV. General Information, including your GDPR rights and where you can get answers to your questions

This statement discloses the privacy practices for the EEA Personal Data of faculty, staff, consultants, and people who apply for jobs or positions with us. Please read these terms together with the [Tufts University Privacy Statement](#), the [EEA Privacy Statement](#), and the [Statement on Personnel Records](#).

### What is "EEA Personal Data?"

For purposes of this statement for job applicants, faculty, staff, consultants and other persons providing services, your personal information is EEA Personal Data if it is "personal data" (as defined in the GDPR) and you are in the EEA when you provide the personal information to us in connection with being a job applicant, faculty, staff, consultant or other person providing services.

The GDPR defines "personal data" broadly. It includes "any information relating to an identified or identifiable natural person." The person the personal data is about is called the "data subject." Examples of personal data include your "name, an identification number, location data, an online identifier [and] factors specific to [your] physical, physiological, genetic, mental, economic, cultural or social identity." GDPR. Article 4(1).

The GDPR often uses the term "processing," which includes any way of working with personal data, from collecting to using to sharing to disposing of it. GDPR. Article 4(2).

For example, if you provide personal information to Tufts when you are physically present in the EEA or when you are providing services on behalf of Tufts in the EEA, or if your personal information is used or otherwise processed in connection with a university established activity in the EEA, that personal information may be EEA Personal Data.

## I. Job Applicants

### 1. How We Use Your EEA Personal Data

This section provides information about the use of job applicants' EEA Personal Data by Tufts University, its schools, units, centers and other affiliated organizations for applicants for faculty (employee and non-employee), staff, consultant and other positions.

### 2. Who will process my EEA Personal Data?

The information published here applies to the use, sharing, disclosure and other processing of your EEA Personal Data by Tufts University, its schools, units, centers and other affiliated organizations, which work together closely and share your EEA Personal Data for a variety of administrative and statistical purposes in accordance with agreed protocols.

### 3. How does my Taleo account work?

If you are applying for a position through the Taleo online portal, information about how your account works is published separately. Please see the [Taleo FAQ](#) for more information. Your information remains in the Taleo database indefinitely.

## 4. How does my Interfolio account work?

If you are applying for a faculty position through the Interfolio online portal, information about how your account works is published separately. Please see [Job Applicant's Guide to Interfolio](#) for more information.

## 5. What EEA Personal Data will be processed?

Tufts will use the details you provide on your application form, together with the supporting documents requested and additional details provided by any persons submitting letters of recommendation, and information recorded following any interview process.

If you are required to undergo certain background checks or procedures as part of the job application and offer process (e.g. criminal convictions checks or visa application procedures), we will use this information as described at Background Checks Data.

## 6. What is the purpose and lawful basis of the processing?

Tufts will process the EEA Personal Data provided on your application and the other information referred to above for the purposes of identifying you, processing your application, verifying the information provided and assessing your suitability for the role, deciding whether to offer you a job or position, and communicating that outcome.

We may also use or disclose the information provided for the following statutory or public interest purposes:

- To prevent or detect fraud.
- To comply with applicable laws and regulations and Tufts' policies, including its non-discrimination policy.
- To help us to make reasonable adjustments for any disability, as requested by you.
- To allow us to consider any future accommodation requirements.
- To help inform and support University and school planning and decision making.
- To provide information required by governmental and accrediting organizations.
- For research and statistical purposes.

We consider the processing of your EEA Personal Data for the above purposes to be either necessary for us to take steps with a view to considering your employment application, or necessary for compliance with a legal obligation (e.g. non-discrimination), or necessary for the performance of tasks we carry out in the public interest (e.g. reporting or research). We require you to provide us with the information we ask for during the application process in order to assess your application properly except where its supply is marked as optional. Applications decisions are not automated.

## 7. Will Tufts share my EEA Personal Data with others?

As well as circulating your application and related materials to the appropriate hiring staff, reviewers, and interviewers at Tufts, we will share your EEA Personal Data for the above purposes as relevant and necessary with:

- *Recommendations.* In checking your references, we may share your information with persons submitting letters of recommendation. For most staff applications, Tufts contracts with a third-party service that solicits information from references on an anonymous basis.
- *Service Providers.* We may use third parties to support our operations and provide services to our applicants. In such cases, we may share your information with such third parties.
- *Required by Law.* We may share your information with third parties to the extent we are required to do so by law, court order, or subpoena. In the case of international applicants, we may share your information with appropriate agencies including the U.S. Citizenship and Immigration Services for visa and right to work check purposes.
- *Emergency Circumstances.* We may share your EEA Personal Data with a person you have designated as an emergency contact or with other third parties, if, in our sole judgment, such disclosure is necessary to protect your health, safety, or property or the health, safety, or property of any other person.
- *Compelling Purpose.* We may share your information in other cases when there is a compelling purpose regarding benefit to Tufts or members of our community.
- *De-Identified and Aggregate Information.* We may use and disclose information about our applicants in de-identified or aggregate form without limitation.

## 8. How is my EEA Personal Data used if I become a member of faculty, staff, a consultant or otherwise selected for a position at Tufts?

If you receive an offer of employment and you accept it, we will use your EEA Personal Data for the purposes described at Faculty, Staff, Consultants and Other Persons Providing Services, as amended from time to time.

## 9. How long will my EEA Personal Data be kept?

We store your EEA Personal Data for as long as necessary to complete the application process. Your EEA Personal Data may also be used as part of our assessment of any future application you make for further employment or engagement at Tufts. If you are offered a position and accept that position, your information will normally be kept as part of your personnel record for the duration of your employment plus six years or permanently for faculty. After you leave, certain records pertaining to your employment or engagement are retained indefinitely so that the details of your employment or engagement can be confirmed and for statistical or historical research. If you are not offered a position, your information will normally be kept for six years after the completion of the application process. Currently, Taleo retains information submitted to it indefinitely. Other information about how long different types of information are retained by Tufts is published at [Records Retention Schedule](#).

In addition, if you apply for a faculty appointment, the school may also retain records including your EEA Personal Data in accordance with the policy adopted by the school(s) and administered by each faculty affairs office.

## II. Background Check Data

This page describes how your EEA Personal Data is used and stored if you are required to undergo certain background checks or procedures as part of the application and offer process. It supplements the general information about how we use your EEA Personal Data as an applicant for a position (see Job Applicants). The checks and procedures covered by this section include basic background checks, including verification of education and prior employment, CORI reports, security clearance checks, any application for immigration purposes including where visa sponsorship is required, and similar processes that will only affect some applicants, whether because of the type of position you are applying for or because of your individual status. The sensitive information that may be processed may include information about past criminal convictions, including sex offender convictions, motor vehicle records, and your fitness to practice in certain regulated professions. If any of these checks affect you, we will make this clear to you at the relevant point in the application process.

In all cases, we will only use any information gathered as part of any relevant check or procedure for that specific purpose, and it is our policy to handle, store, retain and destroy relevant materials in accordance with applicable laws and regulations and standards of practice. This means that access to any relevant materials (including any forms completed by Tufts) is strictly controlled. We retain the results of the relevant checks. We will only share any relevant information with external parties insofar as we are required to do so or doing so is necessary (this may include partner organizations or employers and third party vendors who provide associated services).

## III. Faculty, Staff, Consultants and Other Persons Providing Services

### 1. How We Use Your EEA Personal Data

This section provides information about the use of EEA Personal Data while you are a member of faculty, staff, consultant, or other person providing services at Tufts University. Tufts University respects the privacy of its employees and other persons providing services and strives to keep its personnel files confidential. The Human Resources Department maintains a personnel file for each employee. See [Statement on Personnel Records](#).

As a member of faculty, staff, consultant or other person providing services at Tufts, you also have certain legal responsibilities to protect the EEA Personal Data of other people (e.g. other employees, students, research participants) by handling it appropriately; relevant policies and guidance on the University's policy on handling EEA Personal Data are available at the [Tufts University Privacy Statement](#) and the [EEA Privacy Statement](#).

### 2. How does this webpage relate to other information about data protection?

When you were a job applicant, you were told how Tufts would use your EEA Personal Data during the recruitment process and for related purposes. (see Job Applicants [add link to section above]). You were referred to this webpage for a fuller statement of the uses we would make of your EEA Personal Data if you became a member of faculty, staff, consultant, or other person providing services at Tufts University. In addition to the information published here, when you use specific services and facilities offered by Tufts, you will be told about other uses of your EEA Personal Data. For example, there are separate statements for persons who use or engage with Tufts websites (see [Privacy Statement](#)), IT services (see [Use of Institutional Systems Policy](#)), the Office of Equal Opportunity (see <http://oeo.tufts.edu/>) and the libraries (see [Tufts University Libraries Privacy Policy](#)).

### 3. Who will process my EEA Personal Data?

The information published here applies to the use, sharing and disclosure of your EEA Personal Data by Tufts University, its schools, units, centers and other affiliated organizations, which work together closely and share your EEA Personal Data for a variety of administrative and statistical purposes in accordance with agreed protocols.

### 4. What EEA Personal Data will be processed?

Tufts will keep a record of the details you provided on your application form, any supporting documents requested and additional details provided by any person submitting a letter of recommendation and/or recorded following any interview process. We will

maintain various administrative, including financial, records, about your employment or engagement at Tufts, and about your use of the academic and non-academic facilities and services that we offer. Where relevant, we may supplement these records with personal data from the public domain (e.g. your publications) or other sources.

Your EEA Personal Data is created, stored and transmitted securely in a variety of paper and electronic formats, including some databases at Tufts (such as the systems used by Human Resources and Tufts Support Services). It is Tufts' policy to limit access to your EEA Personal Data to staff and others who have a legitimate interest in it for the purpose of carrying out their duties.

In addition to this, Tufts may process some EEA Personal Data about you that is classified as "special category" EEA Personal Data, which requires additional protections. This includes information concerning your race or ethnicity, health or disability that we use for providing employment benefits, planning and monitoring purposes, or in order to provide care, help or suitable adjustments. For certain positions, other sensitive information may be processed, such as information about past criminal convictions and your fitness to practice in certain regulated professions. Access to, and the sharing of, this sensitive or "special category" EEA Personal Data are controlled very carefully.

Tufts' [Non-Discrimination Policy](#) "prohibits discrimination against and harassment of any student, employee, applicant for employment, third party or community member because of race; color; national or ethnic origin; age; religion; disability; sex; sexual orientation; gender; gender identity and expression; including a transgender identity; genetics; veteran status; retaliation; and any other characteristic protected under applicable federal or state law."

## 5. What is the purpose and lawful basis of the processing?

Tufts will process your EEA Personal Data for a range of contractual, statutory or public interest purposes, including the following:

- To assess your suitability for a particular role or task.
- To support you in implementing any health-related accommodations to allow you to carry out a particular role or task.
- To administer remuneration, payroll, benefit, and other standard employment functions.
- To administer HR-related processes, including those relating to performance/absence management, disciplinary issues and complaints/grievances.
- To operate security, governance, audit and quality assurance arrangements.
- To deliver facilities (e.g. IT, libraries), services and staff benefits to you, and where appropriate to monitor your use of those facilities in accordance with Tufts policies (e.g. on the acceptable use of IT).
- To communicate effectively with you by mail, email and phone, including the distribution of relevant newsletters and announcements.
- To support your training, health, safety, and welfare requirements.
- To compile statistics and conduct surveys and research for internal, statutory and regulatory reporting purposes.
- To fulfil and monitor our responsibilities under equality, immigration and public safety laws and regulations, and for the establishment, exercise or defense of legal claims.
- To enable us to contact others in the event of an emergency (we will assume that you have obtained the consent of the individuals before you supply their contact details to us).

We consider the processing of your EEA Personal Data for these purposes to be necessary (i) for the purpose of Tufts' legitimate interests since employing and retaining qualified persons is necessary to conducting our operations as a university; (ii) if a contractual relationship exists, in order to meet our contractual obligations with you, or contractual obligations with others that are in your interest; (iii) for compliance with a legal obligation (e.g. non-discrimination); or (iv) for the performance of tasks we carry out in the public interest (e.g. reporting or research). We require you to provide us with any information we reasonably ask for to enable us to administer your relationship with Tufts. It is Tufts' policy not to use your EEA Personal Data for any wholly automated decision-making that affects you, other than in connection with enrollment in some of our benefit plans when you first become a benefit eligible employee. Benefit information is provided to you at the time you become eligible and periodically thereafter.

## 6. Will Tufts share my EEA Personal Data with others?

Your EEA Personal Data is shared as permitted or required by law, on a considered and confidential basis, with a range of external organizations, including the following:

- The external providers of any employee benefits or retirement programs.
- The external providers of other services or benefits to our employees, consultants and service providers.
- Relevant government departments, executive agencies or non-departmental public bodies, and other institutes of higher education.
- Any relevant professional or statutory regulatory bodies.
- Prospective and actual research funders or sponsors.
- Any relevant simultaneous employers.
- As required by applicable law, the relevant trade unions.
- On occasion and where necessary, the police and other law enforcement agencies.
- On occasion and where necessary, auditors.

- Companies or organizations providing specific services to, or on behalf of, Tufts.

Our policy is to provide limited information about you to external enquirers or organizations to verify employment dates and job title, and, if the person requesting the information already has the information, to confirm salary.

We will include your basic contact details in our online directory (<https://whitepages.tufts.edu/>). If your EEA Personal Data includes basic contact details, that information may be included in our online directory, though you can choose to limit what information is visible (<https://whitepages.tufts.edu/faq.cgi>). Some departments may expect faculty and staff to maintain a publicly available personal profile or webpage. Some information about Tufts officers, faculty and other staff (e.g. appointments or committee memberships) is published in *Tufts Now*, *Tufts Announcements*, *Tufts magazines*, *brochures*, and *newsletters*, *press releases*, *social media accounts*, and *other Tufts communications*.

The above types of sharing may involve the transfer of your EEA Personal Data collected or otherwise processed in the European Economic Area to outside the European Economic Area. Such transfers usually are necessary (i) if a contractual relationship exists, in order to meet our contractual obligations with you, or contractual obligations with others that are in your interest; (ii) for the establishment, exercise or defense of legal claims; (iii) to protect your vital interest; or (iv) as otherwise permitted by the GDPR. The transfers are carried out with confidentiality and privacy safeguards in place to protect your EEA Personal Data.

Other than as set out above, we will not normally publish or disclose any EEA Personal Data about you to other external enquirers or organizations unless you have requested it or consented to it, or unless it is in your vital interests to do so (e.g. in an emergency situation).

## 7. How long will my EEA Personal Data be kept?

Your EEA Personal Data will normally be kept as part of your personnel record for the duration of your employment or other engagement plus six years for staff and permanently for faculty. Your EEA Personal Data may also be used as part of our assessment of any future application you make for further employment or engagement at Tufts. After you leave, certain records pertaining to your employment or engagement may be retained indefinitely so that the details of your employment or engagement can be confirmed and for statistical or historical research. Information about how long different types of information are retained by the Tufts is published at [Records Retention Schedule](#).

In addition, if you receive a faculty appointment, the school may also retain records including your EEA Personal Data in accordance with the policy adopted by your school and administered by its faculty affairs office.

## IV. General Information

### 1. What rights do I have with respect to my EEA Personal Data?

The GDPR provides you with several specific data protection rights with respect to your EEA Personal Data. These are generally described below. Further details, including how to submit a request, are published at [How to make a Subject Access Request under the GDPR](#).

- *The right of access.* You have the right to confirmation of the EEA Personal Data that is processed about you by Tufts and to a copy of the information. This right is subject to limitations, including that providing a copy will not adversely affect the rights of others.
- *The right to correct.* The GDPR includes a right for you to have inaccurate EEA Personal Data rectified, or taking into account the purposes of the processing, completed if it is incomplete.
- *The right to erasure (also known as the right to be forgotten).* The GDPR includes a right for individuals to have their EEA Personal Data erased in certain limited circumstances. This right is not absolute.
- *The right to restrict processing.* You have the right to request the restriction or suppression of your EEA Personal Data. This is not an absolute right and only applies in certain circumstances. If processing is restricted, Tufts would not be permitted to use the data without your consent, unless in connection with a legal claim, the protection of another person, or other exceptions. Tufts would be permitted to continue to store the information.
- *The right to data portability.* The right to data portability allows you to obtain an electronic copy of your EEA Personal Data to enable you to reuse that data for your own purposes across different services. This right allows you to move, copy or transfer EEA Personal Data easily from one IT environment to another. This right only applies to information you have provided to Tufts and depending on the context, applies to some of your information, but not to all of your information.
- *The right to object.* The GDPR gives individuals the right to object to the processing of their personal data in certain circumstances, in the absence of a compelling reason for the continued processing.

### 2. How can I access my personnel file?

In addition to your rights to access your EEA Personal Data, as described above, you may also request a copy of your personnel file. See [Statement on Personnel Records](#).

### 3. Where can I go if I have questions?

If you have any questions about how your EEA Personal Data is used, or wish to exercise any of your rights, please consult the [EEA Privacy Statement](#) and [How to make a Subject Access Request under the GDPR](#). If you need further assistance, please contact Tufts' Data Privacy Team at [dataprivacy@tufts.edu](mailto:dataprivacy@tufts.edu).

If you are not happy with the way your EEA Personal Data is being handled, or with the response received from us, you have the right to lodge a complaint with the GDPR supervisory authority in the EEA country where you habitually reside, where you work, or where you believe an infringement of the GDPR occurred.

### 4. Changes to this Privacy Statement

Tufts University reserves the right to change, modify, or otherwise amend this Privacy Statement at its sole discretion and at any time as it deems circumstances warrant. Any such changes will be posted on this page.

This Privacy Statement was last updated on May 25, 2018.