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# Introduction

At Green Cargo, we want to protect your personal privacy as an employee and we want you to have confidence in our processing of your personal data. We at Green Cargo will never sell your personal data, supply your personal data to players to whom Green Cargo is not obliged to provide such data on regulatory or legal grounds, or to players whose purpose is not to enable Green Cargo to offer and provide you as an employee with personal services. This privacy policy explains how we process your personal data in relation to your employment. It also describes your rights and how you can contact our data protection organization.

## Target group

The document’s target group is all employees of Green Cargo.

## Amendment note

|  |  |
| --- | --- |
| **Version** | **Amendment description** |
| 1 | New document |
| 2 | New chapter on legal basis and text adjustments have been made in the document |
| 3 | Supplement regarding recording of radio communication (page 9) and change of subject editor/responsible editor and issuing unit. |

# Summary

Not applicable in this document.

# What is personal data?

Personal data comprise all information that can be directly or indirectly connected with a living individual. Examples of personal data that can be connected with an individual include:

* Name, address, personal identity number
* Photo
* Sound recordings
* IP numbers, Cookies
* Employment number
* Registration numbers
* Result of knowledge test or personality tests
* GPS

Direct personal data are primarily name and personal identity number, information that is easy to understand as being personal data. Indirect personal data is something that is not directly connected to an individual, such as an employment number or user ID.

#  What is sensitive personal data?

The General Data Protection Regulation distinguishes between ordinary personal data and sensitive personal data. According to the **association**, it is prohibited to process such data, but there are exceptions from the prohibition. Examples of sensitive personal data:

* Health data (for example, sickness absence, pregnancy, doctor’s visits, allergies, etc.)
* Data on misconduct
* Data on religious views
* Data on philosophical views
* Data on political opinions
* Data on sexual orientation
* Data on ethnicity
* Personal identity number
* Trade union membership
* Processing of biometric data
* Processing of geometric data

The sensitive personal data processed by Green Cargo include:

* Health data (for example, sickness absence, pregnancy, doctor’s visits, allergies, etc.)
* Personal identity number
* Trade union membership
* Data on misconduct

# What is the processing of personal data?

All forms of handling of personal data constitute processing, regardless of whether this is conducted in an automated manner or not. Examples of processing are collection (on employment, we request your contact data), registration (for example, registration of your contact data in our HR systems), storage, processing, amendment, reading, use, dissemination or provision in another manner, adjustment, restriction, erasure or destruction.

# Who is responsible for the collection of personal data?

The personal data controller for processing your personal data pursuant to this policy is Green Cargo AB, Corporate Registration Number 556119-6436, domiciled at Kraftvärmegatan, SE-694 32 Hallsberg,

Sweden.

# From where do we collect personal data about you?

Green Cargo processes personal data provided by you in conjunction with your employment. Examples of personal data about you that we collect are name, personal identity number, postal address, close relatives, telephone number and bank account number.

Green Cargo also processes personal data on you that is generated during your employment, such as employment number, remuneration, absence deductions, salary reviews and salary surveys pursuant to the Swedish Discrimination Act, attestation rights, access rights for various systems, sound recordings, photos and videos for the marketing of Green Cargo. When signing and maintaining, as well as making claims for compensation, in accordance with relevant insurance agreements, in the management of sickness absence and rehabilitation, for work management, management of work time, in conjunction with training, including requirements for regular medical examinations, investigation of accidents and incidents.

Green Cargo collects personal data from third parties, from recruitment companies that assist us in our recruitment process, and these are then personal data controllers.

# Which parties might we share your personal data with?

Personal data may be shared with service providers, business partners and other recipients, see list below.

## Our service providers and business partners

We share your personal data with our suppliers and business partners if this is necessary to fulfil the purposes set out below (see section 9).

The companies with which we share your personal data then process the personal data on our behalf and in accordance with our instructions. Accordingly, your personal data will be shared, for example, with companies that manage:

* Green Cargo’s IT landscape
* Support within HR/SALARY
* Occupational health services
* Pensions companies

Your personal data may also be transferred to IT system and service suppliers who provide work tools for business travel, train-crew dormitories and company cars, among other items.

### Other recipients to whom personal data can be sent

When applicable, we share your personal data with recipients who act independently in relation to the services that we provide to you. Accordingly, your personal data could be provided to the following recipients:

|  |  |  |
| --- | --- | --- |
| Recipient | Purpose | Legal basis |
| Government agencies (such as the Swedish Tax Agency, the Swedish Transport Agency, Statistics Sweden, the Swedish Social Insurance Agency) | Provision of information pursuant to legal requirements or exercise of authority  | Completion of legal obligations |
| Payment services provider  | To be able to make payments | Fulfillment of contract |
| Pensions administrators  | To manage pensions | Fulfillment of contract |
| Insurance company  | To provide insurance | Fulfillment of contract |
| Labor unions | Provide information in accordance with the collective agreement with the trade union  | Fulfillment of contract |

# Legal bases

The legal bases for our processing are as follows:

* Consent entails that you as an employee have said yes to your personal data being processed by Green Cargo.
* Completion of agreement means that we as an employer process your personal data to fulfil the employment agreement with you as an employee.
* Completion of legal obligation means that there are laws and regulations that compel us at Green Cargo to process certain personal data.
* The personal data controller or third party’s legitimate interests entail that we at Green Cargo are permitted to process your personal data in certain cases without consent, since our interests weigh heavier than yours as an employee, for example, in conjunction with internal and external marketing of Green Cargo.

# Which personal data do we process and why?

To help you understand what personal data we at Green Cargo process, there is a list below of the types of personal data that are processed.

|  |  |  |
| --- | --- | --- |
| Purpose | Personal data are mainly processed for  | The categories of personal data processed include |
| * To meet obligations in accordance with the employment contract
 | * Registration of employees in our salary system
 | * Name
* Personal identity number
* Phone number
* Home address
* Account information
* Personnel category
* Close relatives
 |
| Legal basis: Processing is necessary to fulfil the employment contract |
| Storage period: Refer to section 10 to see how long we save your personal data |

|  |  |  |
| --- | --- | --- |
| Purpose | Personal data are mainly processed for  | The categories of personal data processed include |
| * To be able to contact relatives
 | * Registration of relatives to be able to contact them
 | * Name
* Phone number
* Home address
 |
| Legal basis: Processing is necessary for our legitimate interest to be able to contact relatives in case of illness or accident  |
| Storage period: Refer to section 10 to see how long we save your personal data |

|  |  |  |
| --- | --- | --- |
| Purpose | Personal data are mainly processed for  | The categories of personal data processed include |
| * To administer your remuneration and benefits
 | * Payment of salaries and remuneration
* Preventive healthcare remuneration
* Other benefits (such as healthcare remuneration and medication remuneration)
 | * Name
* Address
* Account information
* Personal identity number
* Salary
* Phone number
* Employment number
 |
| Legal basis: Processing is necessary to fulfil the employment contract and our legal obligations |
| Storage period: To fulfil our legal obligation, the storage period for these processed data is seven years pursuant to the Swedish Accounting Act.  |

|  |  |  |
| --- | --- | --- |
| Purpose | Personal data are mainly processed for  | The categories of personal data processed include |
| * To administer your employment
 | * Assignment of authorization for various components in our IT landscape, such as various software, computers and other hardware that you need access to as an employee.
* Order of work phone and work computer
* Staffing, of journeys, for example
* Booking of travel and train-crew dormitory
 | * Name
* Personal identity number
* E-mail address
* Phone number
* User name
* Employment number
* Signature
* AD signature
* Cost center
* Location
* Immediate manager
* Title/position
* Competencies (marshalling yard competence, shunting competence and track competence)
 |
| Legal basis: Processing is necessary to fulfil the employment contract  |
| Storage period: 3 months after completion of work duties, authorization to use the IT systems and applications is disconnected. For other processing, refer to section 10 to see how long we save your personal data |

|  |  |  |
| --- | --- | --- |
| Purpose | Personal data are mainly processed for | The categories of personal data processed include |
| * To enable us as a company to meet our legal obligations according to law or according to the collective agreement
 | * Accounting of taxes and social insurance contributions
* Implementation of annual salary review
* Implementation of annual salary survey
* Order of seniority list according to the Swedish Employment Protection Act
* Fact gathering in event of accident
* Administration of vacation and time owed
* Conducting of professional psychological tests in conjunction with employment
* Accounting of payment/repayment of salaries
* On audit of railway operation
 | * Name
* Personal identity number
* Employment number
* Salary
* Tax
* Benefits
* Account information
* Location
* Photo
* Professional psychological outcome
* Gender
* Year of employment
* Position
* Trade union membership
 |
| Legal basis: Processing is necessary to fulfill legal obligations according to law and necessary for fulfilment of the collective agreement. |
| Storage period: Processing of personal data for financial data, the storage period is seven years according to the Swedish Accounting Act. For the storage time for other processing not derived from financial data, see section 10.  |

|  |  |  |
| --- | --- | --- |
| Purpose | Personal data are mainly processed for | The categories of personal data processed include |
| * To be able to meet the requirements of the Work Environment Act and traffic safety on the railway
 | * Periodic health checks for directly employed personnel
* Drug tests for personnel involved in traffic safety services
* Management of health data and action taken to fulfil our rehabilitation obligation
 | * Name
* Personal identity number
* Sick leave data
* Rehab information
* Health data
 |
| Legal basis: Processing is necessary to fulfil the employment contract and our legitimate interest of ensuring traffic safety on the railway.  |
| Storage period: Refer to section 10 to see how long we save your personal data |

|  |  |  |
| --- | --- | --- |
| Purpose | Personal data are mainly processed for  | The categories of personal data processed include |
| * To be able to market our company and our services externally
 | * Management of employees’ (for example HR, Group Management, sales staff) personal data in recruitment advertising, editorial articles in bought media, product sheets and blog contributions
* Use of employee photos or video in the company’s marketing and publication of contact details and images on the external website
 | * Name
* Photo
* Video
* E-mail address
* Phone number
 |
| Legal basis: The processing is necessary for the company’s legitimate interests, as well as consent from employees for film recording to strengthen our brand externally.  |
| Storage period: Refer to section 10 to see how long we save your personal data  |

|  |  |  |
| --- | --- | --- |
| Purpose | Personal data are mainly processed for  | The categories of personal data processed include |
| * For internal communication regarding Green Cargo, changes and news
 | * Publication of information, video and photos on Cargonet relating to Green Cargo’s operations and employees
 | * Name
* Photo
* Video
* E-mail address
 |
| Legal basis: Processing is necessary for the company’s and employees’ legitimate interests in being able to provide and receive information about the operation and other news and events of interest.  |
| Storage period: Refer to section 10 on how long we save your personal data |

|  |  |  |
| --- | --- | --- |
| Purpose | Personal data are mainly processed for  | The categories of personal data processed include |
| * For preventative safety purposes and to facilitate investigations of accidents and incidents
 | * To facilitate investigation in the event of accidents or incidents.
 | * Sound recordings in the form of all communication that is conducted over radio communications equipment between production personnel and train drivers being recorded, and saved for a limited time (see further below).
 |
| Legal basis: Processing is necessary based on the company’s legitimate interests in being able to ensure and maintain safety in the marshalling yards and to facilitate investigations of accidents and incidents.  |
| Storage period: Recorded radio communication is erased automatically after 14 days if the sound recording does not need to be saved longer than this to investigate a particular accident/incident. Sound recordings that are necessary for the investigation of an accident or an incident are stored for as long as necessary for the investigation and erased thereafter.  |
| Special security measures: Sound recordings are stored under lock and key adjacent to each marshalling yard. Only personnel from technical support have access to such spaces and only such personnel that are authorized (normally a group manager or a specially trained instructor) and need access to sound recordings to investigate an accident or incident can request access to recordings from technical support. Sound recordings will be used exclusively by Green Cargo for the purpose of investigating any accidents and incidents. The instruction for IT security work that describes how recorded material can be used has been prepared for affected personnel. Green Cargo will not provide sound recording to third parties unless they are required by law enforcement or investigating authorities to investigate and follow up an accident or incident or criminal action. The recordings will only be processed within the EU/EES. |

# How long do we save your personal data?

We save your personal data as long as they are required to meet any of the purposes set out in section 9. Although the personal data are no longer needed for one purpose, the data may be needed to meet another purpose.

If the storage period is not stated under purpose in item 9, your personal data is stored for the duration of your employment. In conjunction with the end of employment, data no longer relevant for their purpose are erased.

# How do we save your personal data?

Green Cargo implements technical and organizational security measures to protect your personal data so that they cannot be manipulated, end up in the wrong hands or be lost, and that erasure is conducted in a controlled manner and only in cases where erasure is permitted.

# Where are your personal data processed?

Green Cargo’s objective is to always process your personal data within the EU/EEA. The personal data that is contained in the IT systems that we use may be shared with IT service providers that are located outside the EU/EES. For example, we may use an IT provider which has some of its employees and sub-suppliers stationed outside the EU/ESS.

# Your personal rights

As an employee of Green Cargo, you are entitled to exercise a number of rights relating to our processing of your personal data and these rights are described below.

## Right to information and access

If you want to have insight into how Green Cargo processes your personal data, you are entitled to request information on the personal data processed regarding you. You are also entitled to know our purposes, categories of personal data, categories of recipients of personal data, how long we save the data and the criteria for how the storage periods are established, information regarding where the data are collected and the occurrence of automated decision-making, including information on the underlying logic and significance of the processing. This is also the case if the personal data are conveyed to a third country.

## Right to erasure (‘right to be forgotten’)

You are entitled to request erasure of personal data that we process if:

* the personal data are no longer necessary for the purpose for which they were collected or for processing
* the consent on which the processing is based is recalled and if there is no other legal basis for the processing
* you object to a balance of legitimate interests made by us and there is no legitimate interest for us that carries more weight
* the personal data have been processed unlawfully
* the personal data must be erased to meet a legal obligation by which we are bound

Remember that we may have the right to deny your request for erasure if there are legal obligations that prevent us from erasing certain personal data. These obligations derive from accounting and tax legislation, but it may also be that we must meet a legal obligation by which we are bound.

## Right to rectification

You are always entitled to request that your personal data be rectified if they are incorrect. In addition, you are also entitled to supplement any personal data that are incomplete for the purpose.

All rectifications of your personal data in the HR portal will be made by the employee. For example, rectification of bank account numbers, addresses, nearest relatives and suchlike. If there are errors in, for example, Outlook or other related systems, these will be rectified through the service desk, greencargo.servicedesk@csc.com or you can call 020-688000 to have them corrected. These may be Title, telephone number, work location or suchlike. If it applies to change of name, the population registration certificate/name certificate from the Swedish Tax Agency is sent to the payroll office.

## Data portability

You are entitled to have your personal data exported to a data file and to transfer these to another personal data controller if technically possible. This is in case the processing of your personal data is based on consent or fulfilment of agreement.

## Right to restriction of processing

You are entitled to request restriction of your personal data if:

* you challenge the correctness of the personal data, during a time that gives Green Cargo the possibility to check that the personal data are correct
* the processing is unlawful and you oppose the erasure of your personal data and instead request restriction of their use
* that we at Green Cargo no longer require your personal data for the purpose of processing, but you need the personal data to be able to establish, enforce or defend legal claims
* you have objected to a legitimate interest that we have provided for a purpose

If processing has been restricted for any of the situations listed above, we may only, apart from the storage itself, process data to establish, enforce or defend legal claims, to protect the rights of other persons or if you have provided consent.

## Right to object

You are entitled to object to personal data that we process regarding you if the processing is based on legitimate interests. To enable us at Green Cargo to continue to process your personal data following such an objection, we need to be able to demonstrate a compulsory legal reason for the specific processing that weighs heavier than your interests, rights or freedoms. We may otherwise only process data to establish, enforce or defend legal claims.

## Complaint to supervisory authority

The Swedish Authority for Privacy Protection is the supervisory authority, which means it is responsible for monitoring the application of the law. If you believe that Green Cargo has failed in its handling of your personal data, you are entitled to lodge a complaint with the Swedish Authority for Privacy Protection.

# How to contact us

If you have questions regarding our processing of your personal data or if you want to exercise any of your rights relating to the handling of your personal data, you are welcome to contact our data protection coordinator at dataskydd@greencargo.com.

The form can be found under the Office-Data Protection Regulation on Cargonet. Requests for register extracts are to be submitted to dataskydd@greencargo.com. If a request is repetitious, we may charge an administrative fee for the provision of the information.

Anyone requesting a register extract also provides their consent to us saving information on the request, name, employment number and the e-mail address from which the request was received, in a register of extracts that is deleted after 12 months following receipt of the request.

# Amendments to the data protection policy

Green Cargo may update or amend the privacy policy and you should regularly visit the General Data Protection Regulation page on Cargonet and Our Documents.

# Terms

|  |  |
| --- | --- |
| Terms | Explanation |
| Legal bases  | Consent |
|  | Fulfilment of agreement |
|  | Performance of legal obligations |
|  | Personal data controller’s or third party’s legitimate interests  |

# References

<https://www.datainspektionen.se/>

<https://www.datainspektionen.se/dataskyddsreformen/>