

## **VERIFICATION OF THE GREEN PASS**

### **PRIVACY POLICY PURSUANT TO ARTS. 13 AND 14 OF EU REGULATION NO. 679/2016 (GDPR)**

The personal data relating to the following subjects: workers and employees, collaborators, interns, staff of external companies, temporary staff and all those who access the places where they carry out their work activity – or during such activity – will be processed in accordance with EU Regulation No. 679/2016, according to the methods explained below, in order to check the possession and correct presentation of the valid Green Pass by those same subjects, for the purpose and in the course of the pertinent checks envisaged by law.

#### **DATA CONTROLLER AND CONTACTS**

The Data Controller is Azienda Trasporti Milanesi S.p.A. (ATM), with registered office in Foro Buonaparte 61, 20121, Milan (Italy). The Data Protection Officer, whom you can contact to exercise your rights under art. 13 and/or for any clarifications regarding personal data protection, can be contacted at the following email address: [rpd@atm.it](mailto:rpd@atm.it).

#### **INTERESTED SUBJECTS**

The following are interested subjects: workers and employees, collaborators, interns, staff of external companies, temporary staff, consultants, administrators and all people who go in the places where the work is carried out in the availability of the Data Controller.

#### **PURPOSE OF THE PROCESSING AND LEGAL BASIS**

- To contain the spread and contagion of the Covid-19 virus.
- To check the authenticity, validity and integrity of the Green Pass, including the certification of exemption.
- To satisfy the specific work needs in order to ensure effective work scheduling.

The legal basis for the data processing is the need to comply with the following legal obligations: art. 9 septies and 9 octies, Law Decree 52/2021. By the subjects delegated to the checks, control of the Green Pass (or certification of exemption from the vaccination campaign) in the possession of those who access the places where they carry out their work activity, or in order to continue to carry it out, in valid paper and/or electronic format. Besides, control of the information contained in the communications sent by the staff pursuant to art. 9 octies, Law Decree 52/2021. So much pursuant to GDPR art. 6 paragraph c).

#### **PROCESSED DATA**

- Name, surname and date of birth of the holder of the Green Pass.
- Unique identifier of the certificate.
- The information relating to the negative outcome of the verification, or the fact that the worker has declared to be, or has been found to be, without a Green Pass.

#### **PROCESSING METHODS**

The processing will be carried out by personnel authorized and trained for this purpose (so-referred subjects delegated to the checks). The verification activity is carried out exclusively by scanning the “QR code” reported by the Green Pass, through the use of the C-19 Verification application. The Green Pass is presented to the personnel in charge in paper or digital form. In the event of any uncertainty as to the identity of the data subject, the presentation of an identification document may be required for a comparison with the data collected by the scanning of the QR code. In the case of a paper Green Pass, the document has to be folded in such a way as to show only and exclusively the so-called QR code that has to be scanned. In the case of a digital Green Pass, only the so-called QR code has to be shown and scanned.

Such verification is necessary in order to have access to the places where the work is carried out and to those in the availability of the Employer – the Data Controller. If the verification indicates a “negative result”, the data are processed in accordance with the provisions of art. 9 septies, paragraphs 8 – 10, Law Decree 52/2021 (any disciplinary sanctions, reporting to the prefect).

In cases of transmission of a request pursuant to art. 9 octies, Law Decree 52/2021, concerning the possible non-possession of the Green Pass and consequent mandatory communication by the worker receiving the request, the processing will be carried out also by the personnel authorized for this purpose (by way of example and not exhaustively: dedicated call center, offices in charge of the personnel administration).

#### **CONSEQUENCES IN CASE OF DETECTION, REFUSAL TO PROVIDE DATA OR FAILURE TO TRANSMIT COMMUNICATION PURSUANT TO ART. 9 OCTIES LAW DECREE 52/2021**

In case of refusal to show the Green Pass, both on paper and digitally, or in the case of failure to show the identity document for the communication of personal data to the verifier, it is prohibited to go and stay in the places where the work activity is carried out.

#### **NATURE AND DURATION OF THE DATA PROVISION**

The data provision is mandatory from 15th October 2021 and until 31st December 2021.

## **RECIPIENTS OF PERSONAL DATA**

The personal data of the interested parties will be processed by specifically authorized subjects (employees of the dedicated call center, employees in charge of personnel administration, their hierarchical leaders, security/guardianship officers). Personal data will not be communicated or transferred to third parties, except in cases of reports to the prefect concerning negative checks pursuant to art. 9 septies, paragraph 10, Law Decree 52/2021. In cases of communication pursuant to art. 9 octies, Law Decree 52/2021, personal data will be processed by the offices in charge (by way of example and not exhaustively: dedicated call center, offices in charge of the personnel administration) in order to ensure effective planning and organization of work. Personal data will not be transferred abroad.

## **DATA RETENTION PERIOD**

The storage is not envisaged for the personal data processed for the verifications of the Green Pass, except as follows. The identification data and negative outcome of the check (lack or invalidity of the Green Pass), as well as the data coming from the communication pursuant art. 9 octies, are recorded only to document the reasons that prevented the access and/or stay in the places where the work activity is carried out, as well as to take the measures provided for by law in case of failure to comply with the obligations related to the Green Pass. Such data are kept at least until the end of the state of emergency, in any case for the pertinent accounting and administrative checks. This is without prejudice to storage in relation to the public authority's requests.

## **DATA SUBJECT RIGHTS**

All the rights of the data subject are guaranteed in accordance with the provisions of Articles 15, 16, 17, 18, 20, 21, 22 and 77 of the GDPR:

- right of access to personal data and all information on the processing carried out;
- right to rectification of inaccurate personal data and integration of incomplete personal data;
- right to erasure ('right to be forgotten');
- right to limit the processing of personal data;
- right to data portability;
- right to object to the processing of personal data;
- right not to be subject to a decision based solely on automated processing;
- right to lodge a complaint with the Italian Data Protection Authority in case a violation is thought to have been carried out.