

European network of employment services (EURES), workers' access to mobility services and further integration of labour markets

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Executive Summary of the Opinion of the European Data Protection Supervisor (EDPS) on the Commission Proposal for a Regulation of the European Parliament and of the Council on a European network of Employment Services, workers' access to mobility services and the further integration of labour markets

On 17 January 2014, the Commission adopted a proposal for a Regulation of the European Parliament and of the Council on a European network of Employment Services, workers' access to mobility services and the further integration of labour markets. On the same day, the Commission sent the Proposal to the EDPS for consultation.

Objective and scope of the proposal: the main objectives of the proposal are to help increase the number of job vacancies as well as the pool of candidates available in EURES. The proposal also aims to increase the capabilities of the portal to automatically match job vacancies with job applications. To this end the current system of direct registration of CVs and job vacancies will be replaced/complemented by a system where public employment services and other authorised employment services (EURES-partners) will make available via EURES a limited and select set of matchable and codified data obtained from the CV and job vacancy databases they hold. These would include data categories such as the occupation or skill concerned, level of academic achievement, language skills, driving licence, the number of years of work experience, the nature of the contract (permanent or temporary) and the location of employment. Making these data available to EURES, on the applicant side (data derived from CV data), will be subject to explicit consent of the individuals concerned.

The list of organisations systematically feeding data into the system will include not only public employment services of the Member States, but also other authorised EURES partners. In other words, participation in the EURES network will be open to all employment services, whether public or private.

Thanks to the matching tool, it is expected that the Regulation will enable the EURES portal to carry out a good automated matching between job vacancies and CVs across Member States.

Main conclusions: the EDPS welcomes the fact that the Commission took due account of the rights of data subjects, including their right to access and correct their data. In addition, the proposal does not specifically require or encourage web-crawling.

The EDPS does recommend certain further improvements as follows:

- a recital could be added to explain what is meant by the granularity of consent under Article 14(3);
- in Article 15(3) after the words job applications, and CVs made available on the EURES portal the words in accordance with Article 14 could be added;
- Article 17(4) should refer to access to information rather than access to general information;
- a specific substantive provision or a recital could be added, requiring that the principle of data protection by design be applied for the development of the EURES portal. In addition, it could also be helpful to provide some further guidance in substantive provisions or at least in recitals;
- the Regulation should specify more clearly who can have access to the database and subject to what safeguards.

The EDPS also adds:

- an applicant may choose to make his/her entire CV available on EURES;
- an applicant can also add information in a free-text field to accompany the codified standard information that will appear in the results when the matching tool is used;
- there should also be further clarification in the text on how the automated matching works. In any event, the Regulation should specify that unless a worker chooses to make his/her entire CV available on EURES those searching the EURES portal will not have direct access to the names, CVs or any other directly identifiable personal data of the applicants, only to the list of a limited and select set of matchable and codified data obtained from the CV databases they hold;
- the purpose of the processing and the acceptable range of further use of the data should be clearly specified in the proposed Regulation.