

## INFORMATION NOTICE ABOUT PERSONAL DATA PROCESSING AND CONSEQUENCES OF THE RESEARCH PROJECT

**Title of Research Project:** PROtect against EXploitation: exploitative offences versus legitimate work in a digitalised labour market

**Acronym of Research Project:** PROTEX

**Principal investigator:** Dr. Salomé Lannier, Postdoctoral researcher, Faculty of Law, Economy and Finance, University of Luxembourg  
Email contact: [salome.lannier@uni.lu](mailto:salome.lannier@uni.lu)

Signal contact

Telegram contact

WhatsApp contact

On request

On request

On request

If you have a concern about any aspect of your participation, please raise this with the researcher, or with: Dr. Stanislaw Tosza, Associate Professor, Faculty of Law, Economy and Finance, University of Luxembourg  
Email contact: [stanislaw.tosza@uni.lu](mailto:stanislaw.tosza@uni.lu)

### Description and nature of the study:

The PROTEX project will conceptualise an updated legal definition of “exploitation” in rapidly changing work sectors. “Exploitation” divides between criminalised and legitimate forms of work, particularly in the offence of human trafficking. Yet, no concise and clear definition of this crucial concept exists. Many victims are still denied State protection as its interpretation mainly depends on law enforcement authorities. These challenges are becoming even more relevant given the evolving work market, especially due to its digitalisation. While labour law is meant to protect employees from exploitation, its scope struggles to extend to new, often digitalised, work situations. Thus, the project aims for an operationalised legal definition of exploitation to guide the identification of victims of exploitation as well as the sustainable protection of all workers’ rights.

The **sociological study** in the PROTEX project aims to explore the subjectivity of individuals affected by exploitation, complementing the legal analysis, given there is little harmonised understanding of exploitation in law and outdated indicators for law enforcement authorities. This approach will compare legal interpretations with lived experiences and highlight and update indicators of exploitation, considering the impact of digitalisation on working conditions. The objective is to better understand the boundary between criminalised work situations and those protected by labour law.

As part of the Research Project, personal data will be collected, transcribed, processed and analysed to achieve the **scientific objectives** of the Research Project. Thus, the research objective is to provide a more integrated perspective on “exploitation”, with a particular focus on the role of digitalisation in exploitative conditions of work. The project will offer an evidence-based comparative, legal, and sociological understanding of “exploitation” and document the grey area between criminalised behaviours and work situations protected by labour law. In a nutshell, the project seeks to answer the following **research question**: How can sociological understandings of exploitation contribute to the clarification of the line or area between criminalised and protected working conditions in the labour market in the widest sense, in order to improve the effectiveness of legal protections for victims?

### Your Role in the Project

As a participant in the PROTEX project, your involvement will consist of **sharing your experiences and perspectives related to work and exploitation**. This will be done through an interview, during which you will be asked questions about your working conditions. Your role is central to understanding exploitation from a legal perspective, to ensure that the law and judges’ decisions conform to labour realities and practical risks of exploitation.

### What could be the consequences or risks of your participation in the Research Project?

The University of Luxembourg implements measures to process your personal data securely and in a confidential manner and the researcher responsible for the collection, transcription, processing and analysis of the data is bound to maintain **confidentiality**. Her supervision team, with access to the pseudonymised data, is also bound to maintain confidentiality.

The data collected during the interviews will be used **exclusively for the research project**. **No identifying data will be transferred law enforcement authorities** (e.g., police, labour inspectors, migration services), unless you precisely, in detail, refer to an ongoing criminal offence, which must be disclosed, under the Criminal Code (Article 140). In that case, the researcher will have to disclose the information, anonymously, to a victims' protection service (NGO or police).

Your data will be used with a **pseudonym** which means that in scientific publications, only fragments written using a pseudonym will be used. Details that allow for you to be identified, or for the identification of any other people will not be published. You may choose yourself your pseudonym if you wish so.

Personal data and information mentioned during the interview will only be collected and processed with your prior **consent and final validation**. The researcher will orally present the main elements of this information sheet before signature of the informed consent form or recording of the oral informed consent, before the beginning of the interview.

Given the topic of the research project, some questions of the interview might trigger negative feelings. You can refuse to answer to any question, and you may ask for a break at any time. In case you might want to take further action after the interview, the researcher will provide you with a sheet "About your rights" with useful information, at the end of the interview.

Additionally, you may request to receive **presence support** during the interview, by being accompanied by a person. This person will not be able to join the interview but might support you in the process. It might be, for example, a social worker of the institution that referred you to the researcher.

You may also request the support of a **translation service** to speak in your chosen language.

In both cases, the researcher must be informed before the interview starts.

Please also note:

- You have the right to **interrupt or close** the interview at **any time**, without having to disclose any reason.
- You may **withdraw** from this study even after you have completed the interview.
- Participation in interviews is on a **voluntary basis** and will be **compensated (cash, Paypal transfer or voucher of a value of 35€)**.
- You will be provided with a **copy of the consent form** (signed or template if oral consent).
- You may **contact the researcher** at any time to learn more about the use and analysis of your data in the research.

### What data do we collect and process?

We collect and process the following personal data about you:

- First and last name or pseudonym
- Contact data (phone number, social media account, meaning, in case of contact through Signal, Telegram or WhatsApp, email address)
- Gender
- Age
- Country of birth
- Country of residence and working activity
- Languages spoken
- Data on working conditions
- Experiences or perspectives related to exploitation
- Data on use of online services providers (e.g., use of online services or platforms)
- Potentially, data revealing religious or philosophical beliefs influencing experiences of exploitation
- Potentially, data revealing trade union membership
- Potentially, health-related data related to work conditions
- Potentially, data concerning sex life or sexual orientation related to work conditions
- Audio recording of the interview, if you agree to this.

We collect only personal data directly from you.

All necessary procedures and precautions will be taken to maintain the confidentiality of research participants.

### Why do we collect and use your personal data?

We collect and use your data to address the research question that the research project aims to tackle; this will be storing and analysing the data, and publishing and disseminating our research results, both to the research community and to practitioners (e.g., for training purposes, for conference presentations).

Your data may also be important after this Research Project for other research on exploitation, for instance, in comparison with other work sectors or in other countries. In this case, your data will be used in an anonymised form.

We will also use your contact details in order to provide you with the voucher or cash compensation, so as to compensate you for your participation to the Research Project.

To keep track of this compensation for accounting and/or audit purposes, we will need to note the date on which the interview happened, together with your pseudonym.

### **What is our legal basis for processing the data?**

Your personal data relating to the research project will be processed in accordance with the General Data Protection Regulation (**GDPR**) and the Luxembourg Act of 1 August 2018 on Data Protection. The legal basis for the processing of your personal data in the context of the Research Project is laid down in Article 6 (1) GDPR:

- The participant has given consent to the processing of their personal data in the context of this research project via the consent form (art. 6.1.a. GDPR).
- Processing is necessary for the purposes of the legitimate interest pursued by the University of Luxembourg, consisting in providing compensation to the participants (via the transfer of a voucher, Paypal or cash compensation (art. 6.1.f. GDPR).

This research project might involve sensitive data being disclosed during the interview, regarding trade union membership, health, sexual life or religious information. The processing of personal data is therefore also based on Article 9 (2):

- a) the participant has given their explicit consent to the processing of their personal data in the context of this research project.

if you voluntarily disclose sensitive data not related to experiences of exploitation, the researcher will delete it from the transcript of the interview.

### **Who is responsible for the processing of my personal data?**

The data controller in respect of the processing of your data is the University of Luxembourg, a public institution for higher education and research, whose registered office is at 2 place de l'Université, L-4365 Esch-sur-Alzette, Luxembourg, acting for the Department of Law in the Faculty of Law, Economy and Finance.

If you have any requests concerning the processing of your personal data you can contact the University of Luxembourg's Data Protection Officer (**DPO**) by email at [dpo@uni.lu](mailto:dpo@uni.lu), or by post at the following address:

UNIVERSITÉ DU LUXEMBOURG, Data Protection Officer, Maison du Savoir  
2, Place de l'Université, L-4365 Esch-sur-Alzette, LUXEMBOURG

### **How do we protect your personal data?**

In order to protect the confidentiality of your data, you will only be identified by a pseudonym in the data analysis and in any publications and dissemination documents that will be produced by the researcher during this Research Project.

You may be contacted by the researcher to later participate in an online event gathering participants to present early results of the research project, if you consented for it. In that event, you will not have to disclose your image or your voice (e.g., you may interact only in the chat), and you may use a pseudonym.

If you agree to the use of recordings of your voice during the interview, these recordings will be only used for transcription purposes. Please indicate in the consent form below whether you agree to this recording.

### **How long is your personal data stored for?**

Your personal data will be stored in the personal folder of the researcher on the servers of the University of Luxembourg.

The raw data, including audio recordings, and pseudonymisation key list (document containing the names and contact information of participants) will be deleted once all the deliverables of the project have been published (planned for 2028), or at the latest 5 years after the end of the project (31 January 2033). The informed consent forms (either in paper format or the audio recordings thereof) will be stored longer but only accessible for accounting and auditing purposes, for a maximum of 10 years after the end of the project (31 January 2038).

### **Who can access or see your personal data?**

The recipients of your personal data are researchers at the University of Luxembourg involved in this research project, as well as one external researcher mentoring the research project:

- Principal investigator/Main researcher: Dr. Salomé Lannier, postdoctoral research, Faculty of Law, Economy and Finance, University of Luxembourg
- Supervisor: Dr. Stanislaw Tosza, Associate Professor, Faculty of Law, Economy and Finance, University of Luxembourg
- Co-supervisor: Dr. Harlan Koff, Full Professor, Faculty of Humanities, Education and Social Sciences, University of Luxembourg
- Mentor: Dr. Joanne van der Leun, Full Professor, Leiden Law School, Leiden University

As mentioned above, no data allowing you to be directly identified will be shared during the publication process nor in the published deliverables, since only your pseudonym will be used.

The University's accounting services and potentially external auditors might need to access your informed consent, either in written form or audio recorded, to verify that the interview for which the compensation was provided indeed took place.

### **Do we transfer data outside the European Union?**

Your personal data will only be processed within the European Union. When your pseudonymised data is being processed on third-party software, they are not uploaded on the cloud (local processing).

### **What are your rights under the General Data Protection Regulation?**

You will have the right to **access** and **rectify** your personal data. In certain cases (in accordance with the conditions set out by the GDPR), you will also have the right to **object** to the way in which your data is used, to request that your data be **deleted**, to ask to **restrict** certain aspects of the processing of your data and to retrieve your data to forward it to a third party (right to data **portability**). You also have the right to **withdraw** your consent to the use of your data at any time. This applies both to the use of your data in this research project and to their use in another research. But please note that if you withdraw your consent once the researcher has already collected data for research, they are still allowed to use this information, as long as it is anonymised.

If you wish to exercise your rights, you should contact the researcher. She will liaise with the University of Luxembourg's DPO to handle your request. You can also contact the DPO by email at [dpo@uni.lu](mailto:dpo@uni.lu) (the DPO will liaise with the researcher of the research project to handle your request) or by post at the following address: UNIVERSITÉ DU LUXEMBOURG, Data Protection Officer, Maison du Savoir  
2, Place de l'Université, L-4365 Esch-sur-Alzette, LUXEMBOURG

You also have the right to lodge a complaint with the Luxembourg National Commission for Data Protection (CNPd) regarding the processing of your personal data. Further information is provided at <http://www.cnpd.lu>. You can also use the CNPD contact form at <https://cnpd.public.lu/fr/support/contact.html>.