

Verification of Declaration of Adherence

Declaring Company: Workday, Inc. and Workday Limited



EU
CLOUD
COC

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Table of Contents

1	Verification against v2.11 of the EU Cloud CoC	4
2	List of declared services	4
2.1	Human Capital Management	4
2.2	Financial Management	4
2.3	Student	5
2.4	Spend Management	5
2.5	Payroll	5
2.6	Workforce Management	6
2.7	Talent Management	6
2.8	Analytics and Reporting	6
2.9	Adaptive Planning	7
2.10	Platform and Product Extensions	7
3	Verification Process - Background	8
3.1	Approval of the Code and Accreditation of the Monitoring Body	8
3.2	Principles of the Verification Process	8
3.3	Multiple Safeguards of Compliance	8
3.4	Process in Detail	9
3.4.1	Levels of Compliance	9
3.4.2	Final decision on the applicable Level of Compliance	11
3.5	Transparency about adherence	11
4	Assessment of declared services by Workday (see 2.)	11
4.1	Fact Finding	11

4.2	Selection of Controls for in-depth assessment	12
4.3	Examined Controls and related findings by the Monitoring Body	12
4.3.1	Examined Controls	12
4.3.2	Findings by the Monitoring Body	13
5	Conclusion	14
6	Validity	14

1 Verification against v2.11 of the EU Cloud CoC

This Declaration of Adherence was against the *European Data Protection Code of Conduct for Cloud Service Providers* (**'EU Cloud CoC'**)¹ in its version 2.11 (**'v2.11'**)² as of December 2020.

Originally drafted by the Cloud Select Industry Group³ (**'C-SIG'**) the EU Cloud CoC – at that time called C-SIG Code of Conduct on data protection for Cloud Service Providers – was developed against Directive 95/46/EC⁴ and incorporated feedback by the European Commission as well as Working Party 29. Following an extensive revision of earlier versions of Code and further developing the substance of the Code (v2.11) and its provisions has been aligned to the European General Data Protection Regulation (**'GDPR'**)⁵.

2 List of declared services

2.1 Human Capital Management

Product SKUs

- | | |
|------------------------------------|----------------------------|
| ■ Advanced Compensation Management | ■ Human Capital Management |
| ■ Benefits | ■ Onboarding |
| ■ Cloud Connect for Benefits | ■ Help |
| ■ Core Human Capital Management | ■ Journeys |

Innovation Services/Enhanced Features

- | | |
|--------|------------|
| ■ Help | ■ Journeys |
|--------|------------|

2.2 Financial Management

Product SKUs

- | | |
|---------------------|---|
| ■ Accounting Center | ■ Financial Management Connector for Salesforce |
| ■ Core Financials | |
| ■ Expenses | ■ Financial Performance Management |

¹ <https://eucoc.cloud>

² <https://eucoc.cloud/get-the-code>

³ <https://ec.europa.eu/digital-single-market/en/cloud-select-industry-group-code-conduct>

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:31995L0046>

⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>

- Grants Management
- Project Billing
- Projects
- Revenue Management
- Time Tracking

Innovation Services/Enhanced Features

- Financial Management ML GA Features*
- Receipt Scanning for Expenses
- Supplier Invoice Automation - Scanning
- Distance Calculation for Expenses

2.3 Student

Product SKUs

- Workday Student Service

Innovation Services/Enhanced Features

- N/A

2.4 Spend Management

Product SKUs

- Inventory
- Procurement

Innovation Services/Enhanced Features

- Spend Management ML*

2.5 Payroll

Product SKUs

- Cloud Connect for Third Party Payroll
- Payroll for Canada
- Payroll for France
- Payroll for United Kingdom
- Payroll for United States

Innovation Services/Enhanced Features

- Payroll Machine Learning Generally Available Features*

2.6 Workforce Management

Product SKUs

- Absence Management
- Time Tracking
- Time Tracking Hub
- Scheduling
- Labor Optimization

Innovation Services/Enhanced Features

- Workforce and Pay ML*

2.7 Talent Management

Product SKUs

- Learning
- Recruiting
- Succession Planning
- Talent Optimization
- Workday Learning for Extended Enterprise
- Career and Development Planning
- Performance and Goals
- Performance and Development
- Candidate Engagement
- Revenue Management
- Cloud Connect for Learning

Innovation Services/Enhanced Features

- Human Capital Management ML GA Features*
- Cloud Connect for Learning
- Public Learning Content
- Learner Name
- Recommended Interview Scheduling*

2.8 Analytics and Reporting

Product SKUs

- People Analytics
- Prism Analytics Enterprise
- Prism Analytics Essentials

Innovation Services/Enhanced Features

- People Analytics

2.9 Adaptive Planning

Product SKUs

- Operational Planning
- Sales Planning
- Planning

Innovation Services/Enhanced Features

- N/A

2.10 Platform and Product Extensions

Product SKUs

- Extend
- Extend Integration with Third Party Platform Services
- Media Cloud
- Messaging
- Bring Your Own Key (BYOK)

Innovation Services/Enhanced Features

- User Experience Machine Learning for Available Services*
- Workday Assistant
- Global Address Lookup
- Notification Designer
- Workday Graph*
- Workday Everywhere
- Email Analytics
- Email Ingestion
- SMS Multi-Factor Authentication
- Enterprise Search
- Intelligent Core*
- Workday AI Gateway

*ML Based Innovation Services (Machine Learning Development Environments) may use AWS hosted environments for better functionality and Innovation. These MLDEs are included in the scope.

3 Verification Process - Background

V2.11 of the EU Cloud CoC has been developed against GDPR and hence provides mechanisms as required by Articles 40 and 41 GDPR⁶.

3.1 Approval of the Code and Accreditation of the Monitoring Body

The services concerned passed the verification process by the Monitoring Body of the EU Cloud CoC, i.e., SCOPE Europe sprl/bvba⁷.

The Code has been officially approved in May 2021⁸. SCOPE Europe has been officially accredited as Monitoring Body in May 2021⁹. The robust and complex procedures and mechanisms can be reviewed by any third-party in detail at the website of the EU Cloud CoC alongside a short summary thereof.¹⁰

3.2 Principles of the Verification Process

Notwithstanding the powers of and requirements set out by the supervisory authority pursuant to Article 41 GDPR, the Monitoring Body will assess whether a Cloud Service, that has been declared adherent to the Code, is compliant with the requirements of the Code - especially as laid down in the Controls Catalogue. Unless otherwise provided by the Code, the Monitoring Body's assessment process will be based on an evidence-based conformity assessment, based on interviews and document reviews; proactively performed by the Monitoring Body.

To the extent the Monitoring Body is not satisfied with the evidence provided by a CSP with regards to the Cloud Service to be declared adherent to the Code, the Monitoring Body will request additional information. Where the information provided by the CSP appears to be inconsistent or false, the Monitoring Body will - as necessary - request substantiation by independent reports.

3.3 Multiple Safeguards of Compliance

Compliance of adherent services is safeguarded by the interaction of several mechanisms, i.e., continuous, rigorous, and independent monitoring, an independent complaints' handling process, and finally any CSP declaring services adherent is subject to substantial remedies and penalties in case of any infringement.

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>

⁷ <https://scope-europe.eu>

⁸ <https://www.gegevensbeschermingsautoriteit.be/publications/decision-n05-2021-of-20-may-2021.pdf>

⁹ <https://www.gegevensbeschermingsautoriteit.be/publications/decision-n-06-2021-of-20-may-2021.pdf>

¹⁰ <https://euococ.cloud/en/public-register/assessment-procedure/>

3.4 Process in Detail

It is expected that, prior to any assessment of the Monitoring Body, each CSP assesses its compliance internally. When declaring its service(s) adherent to the EU Cloud CoC, each CSP must elaborate its compliance with each of the Controls as provided by the Code considering the Control Guidance, as provided by the Controls Catalogue, to the Monitoring Body.

The CSP may do so either by referencing existing third-party audits or certifications, their respective reports and by free text responses. Additionally, the CSP will have to provide a general overview of the functionalities, technical, organisational and contractual frameworks of the service(s) declared adherent.

With regards to internationally recognised standards, the Monitoring Body will consider the mapping as provided by the Controls Catalogue. However, the Monitoring Body will verify whether (a) any third-party certification or audit provided by the CSP applies to the Cloud Service concerned, (b) such third-party certification or audit provided by the CSP is valid, (c) such third-party certification or audit has assessed and sufficiently reported compliance with the mapped controls of the third-party certification or audit concerned. Provided that the aforementioned criteria are met, the Monitoring Body may consider such third-party certifications or audits as sufficient evidence for the compliance with the Code.

Within Initial Assessments, the Monitoring Body selects an appropriate share of Controls that will undergo in-depth scrutiny, e.g., by sample-taking and requesting further, detailed information including potentially confidential information. Within any other Recurring Assessment, the Monitoring Body will select an appropriate share of Controls provided that over a due period every Control will be subject to scrutiny by the Monitoring Body. Where applicable, aspects of current attention at the time of assessment shall be covered too, e.g., where such aspects were indicated in media reports, publications or actions of supervisory authorities.

If the responses of the CSP satisfy the Monitoring Body, especially if responses are consistent and of appropriate quality and level of detail, reflecting the requirements of the Controls and indicating appropriate implementation by the Control Guidance, then, the Monitoring Body verifies the service(s) declared adhered as compliant and thereupon, makes them subject to continuous monitoring.

3.4.1 Levels of Compliance

V2.11 of the Code provides three different levels of Compliance. The different levels of compliance relate only to the levels of evidence that are submitted to the Monitoring Body. There is, however, no

difference in terms of which parts of the Code are covered, since adherent Cloud Services have to comply with all provisions of the Code and their respective Controls.

3.4.1.1 First Level of Compliance

The CSP has performed an internal review and documented its implemented measures proving compliance with the requirements of the Code with regard to the declared Cloud Service and confirms that the Cloud Service fully complies with the requirements set out in this Code and further specified in the Controls Catalogue. The Monitoring Body verifies that the Cloud Service complies with the Code by information originating from the CSP.

3.4.1.2 Second Level of Compliance

Additional to the “First Level of Compliance”, Compliance with the Code is partially supported by independent third-party certificates and audits, which the CSP has undergone with specific relevance to the Cloud Service declared adherent and which were based upon internationally recognised standards procedures. Any such third-party certificates and audits that covered controls similar to this Code, but not less protective, are considered in the verification process of the Monitoring Body. Each third-party certificates and audits that were considered in the verification process by the Monitoring Body shall be referred in the Monitoring Body’s report of verification, provided that the findings of such certificates were sufficiently and convincingly reported and documented towards the Monitoring Body and only to the extent such certificates and audits are in line with the Code. The CSP must notify the Monitoring Body if there are any changes to the provided certificates or audits.

The Controls Catalogue may give guidance on third-party certificates and audits that are equivalent to certain Controls in terms of providing evidence of complying with the Code.

However, to those Controls that the CSP has not provided any equivalent third-party certificate or audit, the Monitoring Body verifies that the Cloud Service complies with the Code by information originating from the CSP.

The Monitoring Body may refuse application of Second Level of Compliance if third-party certificates and audit reports, that are recognised by the Monitoring Body in the verification process concerned, are not covering an adequate share of Controls of this Code; such adequate share shall be subject to the discretion of the Monitoring Body, considering e.g., the share related to the overall amount of Controls of the Code or whether a full Section or topic is being covered.

3.4.1.3 Third Level of Compliance

Identical to the “Second Level of Compliance” but Compliance is fully supported by independent third-party certificates and audits, which the CSP has undergone with regard to the Cloud Service declared adherent and which were based upon internationally recognised standards.

To the extent a CSP refers to individual reports, such as ISAE-3000 reports, the CSP shall ensure that such reports provide sufficient and assessable information and details on the actual measures implemented by the CSP regarding the Cloud Service concerned. The Monitoring Body shall, if considered necessary, in consultation with the Steering Board, define further requirements on such individual reports, such as accreditation and training for auditors against the provisions and requirements of this Code.

3.4.2 Final decision on the applicable Level of Compliance

When declaring its Cloud Service adherent, the CSP indicates the Level of Compliance it is seeking to achieve. Any final decision, whether a CSP is meeting the requirements of a specific Level of Compliance is at the sole discretion of the Monitoring Body.

3.5 Transparency about adherence

Each service adherent to the EU Cloud CoC must transparently communicate its adherence by both using the appropriate Compliance Mark¹¹ and referring to the Public Register of the EU Cloud CoC¹² to enable Customers to verify the validity of adherence.

4 Assessment of declared services by Workday (see 2.)

4.1 Fact Finding

Following the declaration of adherence of Workday, Inc. and Workday Limited (**‘Workday’**), the Monitoring Body provided Workday with a template, requesting Workday to detail its compliance with each of the Controls of the EU Cloud CoC.

As this declaration is a renewal¹³, the Monitoring Body requested from Workday a confirmation that there has been no material change to the applicable technical and organisational and contractual framework. The Monitoring Body also requested from Workday a comparison of the declared Cloud

¹¹ <https://eucoc.cloud/en/public-register/levels-of-compliance/>

¹² <https://eucoc.cloud/en/public-register/>

¹³ You can access the Verification Report of the previous year via the following link: [Workday Verification Report \(2023\)](#)

Services of last year and this year as well as to explicitly indicate any Cloud Services that are no longer included in the Declaration of Adherence and, where applicable, provide the Monitoring Body with adequate reasons. To the extent the list of Cloud Services was extended, the Monitoring Body requested a confirmation, that any such additional Cloud Services are subject to the same technical, organisational and contractual framework as the original Cloud Services.

Workday promptly responded to the templates. Information provided consisted of references and list of actual measures meeting the requirements of each Control, a free text answer describing their measures, and a reference to third party audits and certifications, where applicable. This information was completed by the confirmations requested by the Monitoring Body as well as a detailed comparison of the declared Cloud Services between last year and this year verification highlighting the changes and the reasons for them.

4.2 Selection of Controls for in-depth assessment

Following the provisions of the Code and the Assessment Procedure applicable to the EU Cloud CoC¹⁴, the Monitoring Body analysed the responses and information provided by Workday.

Workday's declared services have been externally certified and audited. Workday holds an ISO 27001 certificate, which is valid for the duration of the Declaration of Adherence, and the scope of registration includes all the declared services. The declaration of adherence referred to the respective ISO certification within the responses to Section 6 of the Code (IT Security). As provided by the Code, the Monitoring Body may consider third-party certifications and audits. Accordingly, the Monitoring Body verified the certification and references. Further in-depth checks were not performed, as provided third-party certifications adequately indicated compliance.

4.3 Examined Controls and related findings by the Monitoring Body

4.3.1 Examined Controls

The Monitoring Body reviewed the submission from Workday which outlined how all the requirements of the Code were met by Workday's implemented measures. In line with the Monitoring Body's process outlined in Section 3.4, the Monitoring Body selected a subset of Controls from the Code for in-depth scrutiny. In-depth scrutiny reflects sample taking and follow-up questions, whilst the latter may address requests for clarifications or more detailed information. The Controls selected for this level of

¹⁴ <https://eucooc.cloud/en/about/about-eu-cloud-coc/applicable-procedures/>

review were: 5.1.D-E, 5.3.C, 5.3.E-F, 5.4.A, 5.4.D-E, 5.7.A-C, 5.10.A-B, 5.11.A-B, 5.12.A-B, 5.12.E and 5.12.F.

4.3.2 Findings by the Monitoring Body

During the process of verification, Workday consistently prepared the Declaration of Adherence well and thoroughly. Workday's responses were detailed and never created any impression of intentional non-transparency. Requests for clarification, additional and supporting information, as well as relevant samples were promptly dealt with and always met the deadlines set by the Monitoring Body.

Related to the Monitoring Body's requests (see section 4.1), Workday indicated that no relevant changes to the Cloud Service Family were applied in regards of the implemented technical, organisational and contractual framework. Where additional Cloud Services were added, Workday provided explicit confirmation that such Cloud Services belong to the same Cloud Service Family.

Workday indicated that its adherence to the Code is adequately communicated to its personnel and that its personnel is aware of the consequences of adherence. The Monitoring Body confirmed Workday's public communication of its adherence. The information provided by Workday indicates that employees and contractors are subject to appropriate confidentiality obligations before engaging in data processing activities.

In the context of awareness and training, Workday has established regular privacy, security and compliance trainings for its employees. In this vein, Workday confirmed that data protection trainings are tailored to the processing of data and subject to periodic reviews.

The assessment involved the subprocessor management process. Based on the information provided to the Monitoring Body, Workday's Subprocessor Onboarding Guide ensures that Workday only engages subprocessors that can provide sufficient guarantees of compliance with GDPR. Additionally, Workday makes available to the Customer a list of subprocessors with general information and ensures that the Customer is notified of any changes concerning subprocessor engaged by Workday.

The Code requires CSPs to assist Customers to respond to Data Subjects' Requests (DSRs). Workday indicated to provide Customers with various self-service functionalities to deal with DSRs. Moreover, Workday makes available relevant documentation on such functionalities and Customers can request additional assistance to Workday. Furthermore, Workday has established a Privacy Regulator Request Procedure to respond to requests by supervisory authorities in due time and appropriate detail and quality.

Transfers of Customer Personal Data to Third Countries were assessed. Workday indicated that it relies on the appropriate data transfer safeguards as provided by Chapter V GDPR. The Monitoring Body received information confirming that Workday relies on Adequacy Decisions and Standards Contractual Clauses (SCCs), of which the latter applies overarchingly. In addition, Workday continually monitors international processing of data, including the applicability of existing adequacy decisions.

5 Conclusion

The information provided by Workday were consistent. Where necessary, Workday gave additional information or clarified their given information appropriately.

The Monitoring Body therefore verifies the services as compliant with the EU Cloud CoC based on the performed assessment as prescribed in 1. The service(s) will be listed in the Public Register of the EU Cloud CoC¹⁵ alongside this report.

In accordance with sections 3.4.1.2 and 3.4.2 and given the type of information provided by Workday to support the compliance of its service, the Monitoring Body grants Workday with a Second Level of Compliance.

6 Validity

This verification is valid for one year. The full report consists of 14 pages in total, whereof this is the last page closing with the Verification-ID. Please refer to the table of contents at the top of this report to verify that the copy you are reading is complete, if you have not received the copy of this report via the Public Register of the EU Cloud CoC¹⁶.

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¹⁵ <https://eucooc.cloud/en/public-register/>

¹⁶ <https://eucooc.cloud/en/public-register/>