

## **Information about the collection and processing of your personal data in connection with the application/recruitment process**

The following information will give you an overview of the collection and processing of your personal data in connection with the application/recruitment process. Which data we process from you and for what purpose this is done depends on the structure of the respective application/recruitment process.

### **Which of your personal data are we using?**

We process your personal data as far as it is necessary for the application/recruitment process. This includes the following data categories:

- Personal data (e.g. first and last name, home address, contact details, date of birth as well as nationality);
- CV, including education, work experience and references;
- Information on previous employers, (e.g. hiring date, job title, department and division, place of work, working hours, reference check);
- Notes made in connection with an interview
- Certificate of matriculation (if requested);
- If necessary, a visa for employment;
- Data related to your answers to screening questions (if completed);
- Assignments and notes taken in connection with them (if carried out)
- Information on the background check (if performed);
- Police clearance certificate (if requested)
- Certain health information (only if provided or required by law);
- Valuation results.

### **For what purposes do we process your data and on what legal basis?**

#### **a) Data processing for employment purposes (Art 6 para. 1 b GDPR)**

Personal data of employees may be processed for the purposes of employment if this is necessary for the decision to establish an employment relationship.

The following processing activities are required to carry out the application/recruitment process:

Receipt and processing of applications by e-mail, pre-selection for the specialist departments, making contact for the purpose of arranging and conducting job interviews, making contact for the purpose of communicating acceptances/rejections.

#### **b) On the basis of a consent granted by you (Art. 6 para. 1 a GDPR)**

If you have given us your consent to the collection, processing or transfer of certain personal data, then this consent forms the legal basis for the processing of this data.

You can revoke your declaration of consent at any time. Please note that the revocation is only effective for the future. A declared revocation does not affect the legality of the processing up to the declaration of revocation.

#### **c) To fulfil legal obligations (Art. 6 para. 1 c GDPR) or in the public interest (Art. 6 para. 1 e GDPR)**

As a company we are subject to various legal obligations i.e. legal requirements (e.g. social security law, occupational safety, tax laws). The purposes of processing include, among others, identity verification, the fulfillment of social security and tax law control, reporting or documentation obligations, and the management of risks within the company. The processing of personal data may be necessary to fulfil these obligations.

#### **d) On the basis of a legitimate interest (Art. 6 Par.1 f GDPR)**

In certain cases we process your data to protect legitimate interests of us or third parties. The legitimate interest is, for example, a duty of proof in proceedings under the General Equal Treatment Act (AGG).

Further examples of data processing on the basis of a legitimate interest are:

- Measures for building and plant safety
- Video surveillance for the protection of domiciliary rights

#### **Who gets my data?**

Internal departments and external service providers have access to your personal data in order to carry out the application/recruitment process or if you have consented or we are otherwise authorized to disclose.

##### **(a) Internal bodies:**

- Human Resources Department
- Accounting
- Relevant potential superior (specialist department)

##### **b) External service providers:**

- IT/telecom services (e.g. computer center)
- Service provider for file and data destruction
- Consultancy and Consulting
- Maintenance service provider of the personnel management system

Other data recipients may be those entities for which you have given us your consent to transfer data or to which we are authorized to transfer personal data based on a balancing of interests.

#### **Will my data be transferred to countries outside the European Union (so-called third countries)?**

A data transfer to a country outside the European Union (so-called third country) takes place, as far as:

- for the fulfillment of contractual obligations
- if you have given us your consent
- to protect our legitimate interests
- if it is required by law

We use service providers for certain tasks, which may use sub-service providers that may have their registered office, parent company or data centers in a third country. To ensure an adequate level of data protection in these third countries, there are either adequacy decisions of the EU Commission or adequate and appropriate safeguards in the form of e.g.:

- EU Standard Contractual Clauses (SCC)
- Binding Corporate Rules

## **How long will my data be stored?**

We store your personal data as long as it is necessary to carry out the application/recruitment process and to fulfil legal obligations.

Should it no longer be necessary to store the data in order to carry out the application/recruitment process or to fulfil legal obligations, your data will be deleted after six (6) months, unless further processing is necessary for the following purposes:

- Fulfilment of legal retention obligations that may arise, for example, from: German Commercial Code (HGB)
- Assertion, exercise or defense of legal claims.

If an employment relationship is established following the application process, your data will initially continue to be stored to the extent necessary and allowed and then transferred to the personnel file.

If applicable, you will receive an invitation to join our talent pool following the application process. This will allow us to continue to consider you in our selection of applicants for suitable vacancies in the future. If we have your consent to do so, we will store your application data in our talent pool in accordance with your consent or any future consent.

If the data processing is carried out in the legitimate interest of us or a third party, the personal data will be deleted as soon as this interest no longer exists. The aforementioned exceptions apply here. The same applies to data processing based on consent given. As soon as this consent is revoked by you for the future, the personal data will be deleted (if possible).

## **What rights do I have in connection with the processing of my data?**

Any data subject has the right of access under Article 15 GDPR, the right to correction under Article 16 GDPR, the right to cancellation under Article 17 GDPR, the right to limitation of processing under Article 18 GDPR, the right to opposition under Article 21 GDPR and the right to data transfer under Article 20 GDPR. The restrictions according to §§ 34 and 35 BDSG apply to the right to information and the right of cancellation.

In addition, there is a right of appeal to a competent data protection supervisory authority (Art. 77 GDPR in conjunction with § 19 BDSG).

## **Do I have an obligation to provide my personal data?**

In order to enter into an application/recruitment process, you must provide us with the personal data required to carry out the application/recruitment process or which we are required to collect by law. If you do not provide us with this information, we will not be able to carry out the application/recruitment process.

If the data processing is based on a given consent, the provision of your personal data is voluntary. Without existing consent, we will not use your personal data for the stated purposes.

## **Automated decision making**

We do not use fully automated automatic decision-making pursuant to Art. 22 GDPR to carry out the application/recruitment process. Should we use these procedures in individual cases, we will inform you separately about this and about your rights in this regard, insofar as this is required by law.

**What right do I have in the case of data processing on the basis of a legitimate or public interest?**

**Right of objection**

Pursuant to Art. 21 para. 1 GDPR, you have the right to object at any time to the processing of personal data concerning you on the basis of Art. 6 para. 1e (data processing in the public interest) or Art. 6 para. 1 letter f (data processing to safeguard a legitimate interest) for reasons arising from your particular situation, this also applies to profiling based on this provision.

In the event of your objection, we will no longer process your personal data unless we can prove compelling grounds for processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims. The objection can be made informally with the subject "Objection", stating your name, and should be addressed to the Data Protection Officer or the Human Resources or Legal Department.

**Controller:**

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Konrad-Zuse-Platz 1  
81829 Munich

**Data protection officer:**

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dataprotection@nemetschek.com