

## **Data protection information about our processing of applicant data in accordance with Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)**

### **Body responsible for data processing and contact details**

Responsible body within the meaning of data protection law:

nemetris GmbH  
Hechinger Straße 48  
72406 Bisingen  
sebastian.glueckert@nemetris.com

Contact details of our data protection officer:

Engineering office Bernd Hölle GmbH  
Gerhard-Kindler-Straße 3  
72770 Reutlingen  
nemetris@ibh-datenschutz.de

### **Purposes and legal basis on which we process your data**

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the Federal Data Protection Act (BDSG) and other applicable data protection regulations. Details below.

#### *Purposes for the fulfilment of a contract or pre-contractual measures (Art. 6 para. 1 b GDPR)*

Your personal data will be processed to process your application in response to a specific job advertisement or as an unsolicited application, and in this context in particular for the following purposes: examination and assessment of your suitability for the vacant position, performance and behavioural assessment to the extent permitted by law, if applicable, for the preparation of the employment contract, verifiability of transactions, orders and other agreements as well as for quality control through appropriate documentation, measures to fulfil general duties of care, statistical evaluations for corporate management purposes, travel and event management, travel booking and travel expense accounting, authorisation and ID card management, cost recording and controlling, reporting, internal and external communication, billing and tax assessment of operational services (for example, business meals), billing via the company credit card, occupational safety and

health protection, contract-related communication (including making appointments) with you, assertion of legal claims and defence in legal disputes; ensuring IT security (including system and plausibility tests) and general security, including building and system security, safeguarding and exercising domiciliary rights through appropriate measures and, if necessary, video surveillance to protect third parties and our employees and to prevent and secure evidence in the event of criminal offences; ensuring the integrity, prevention and investigation of criminal offences; authenticity and availability of data, control by supervisory bodies or control instances (e.g. auditing).

*Purposes within the scope of a legitimate interest by us or third parties (Art. 6 para. 1 f GDPR)*

We may process your data beyond the actual fulfilment of the (pre)contract if this is necessary to protect our legitimate interests or those of third parties. Your data will only be processed if and to the extent that there are no overriding interests on your part against such processing, in particular for the following purposes: measures for the further development of existing systems, processes and services, comparisons with European and international anti-terror lists to the extent that they go beyond the legal obligations; enrichment of our data, including through the use or research of publicly available data. This includes using or researching publicly available data where necessary, benchmarking, developing scoring systems or automated decision-making processes, building and plant security (for example, through access controls) where this goes beyond the general duty of care, internal and external investigations and security checks.

*Purposes within the scope of your consent (Art. 6 para. 1 a GDPR)*

Your personal data may also be processed for specific purposes (for example, obtaining references from previous employers or using your data for subsequent vacancies) on the basis of your consent. As a rule, you can withdraw your consent at any time. You will be informed separately about the purposes and consequences of revoking or refusing consent in the appropriate wording within your consent. As a general rule, revocation of consent is only effective for the future. Processing that took place before consent was withdrawn is not affected and remains lawful.

*Purposes for the fulfilment of legal requirements (Art. 6 para. 1 c GDPR) or in the public interest (Art. 6 para. 1 e GDPR)*

Like everyone involved in economic activities, we are also subject to a variety of legal obligations. These are primarily legal requirements (e.g. Works Constitution Act, Social Security Code, commercial and tax laws), but may also include regulatory or other official requirements (e.g. employers' liability insurance association). The purposes of processing may include identity and age verification, fraud and money laundering prevention (for example, comparisons with European and international anti-terror lists), company health management, ensuring occupational safety, the fulfilment of control and reporting obligations under tax law and the archiving of data for the purposes of data protection and data security as well as for the purposes of audits by tax consultants/auditors, tax and other authorities. In addition, the disclosure of personal data may become necessary in the context of official/judicial measures for the purposes of gathering evidence, criminal prosecution or the enforcement of civil law claims.

**The categories of data processed by us and their origin, insofar as we do not receive data directly from you**

Insofar as this is necessary for the contractual relationship with you and the application made by you, we may process data obtained in a permissible manner from other bodies or other third parties. In addition, we process personal data that we have legitimately acquired, received or secured from publicly accessible sources (for example, commercial and association registers, reporting registers, the press, the Internet and other media), insofar as this is necessary and we are permitted to process this data in accordance with the statutory provisions.

Relevant personal data categories may include in particular

- Address and contact data (registration and comparable data, for example, e-mail addresses and telephone numbers)
- Information about you on the Internet or in professional networks

**Recipients or categories of recipients of your data**

Within our company, those internal departments or organisational units receive the data of yours that they need to fulfil our contractual and legal obligations (such as managers and specialist managers who are looking for a new employee or who are involved in the decision to fill a position: accounting, the company doctor, occupational safety,

employee representatives and so on) or in the context of processing and implementing our legitimate interest. Your data will only be passed on to external bodies

- for purposes for which we are obliged or authorised to provide information, report or pass on data in order to fulfil legal requirements (for example, tax authorities) or if passing on the data is in the public interest (see section 2.4);
- to the extent that external service providers process data on our behalf as processors or function providers (e.g. credit institutions, external data centres, travel agencies/travel management, printers or companies for data disposal, courier services, post, logistics);
- on the basis of our legitimate interest or the legitimate interest of the third party for the above-mentioned purposes (e.g. to authorities, information agencies, lawyers, courts, experts, group companies and committees and supervisory bodies);
- if you have given us your consent to transfer your data to third parties.

We will not pass on your data to third parties unless we inform you of this separately. If we commission service providers as part of the processing of an order, your data will be subject to the security standards specified by us in order to protect your data appropriately. In all other cases, the recipients may only use the data for the purposes for which it was transmitted to them.

### **Duration of storage of your data**

In principle, we process and store your data for the duration of your application. This also includes the initiation of a contract (pre-contractual legal relationship).

In addition, we are subject to various retention and documentation obligations arising from the German Commercial Code (HGB) and the German Fiscal Code (AO), among others. The retention and documentation periods specified therein extend up to ten years beyond the end of the contractual relationship or the pre-contractual legal relationship. Your application documents will be returned in the original after three months if you are not hired. Electronic data will be deleted accordingly after three months. If we wish to store your data for longer for subsequent vacancies or if you have entered your data in an applicant pool, the data will be deleted at a later date; you will be informed of the details in connection with the respective process.

If the data is no longer required for the fulfilment of contractual or legal obligations and rights, it is regularly deleted, unless its – temporary – further processing is necessary for the fulfilment of the purposes listed above due to an overriding legitimate interest of our company. Such an overriding legitimate interest exists, for example, if deletion is not possible or only possible with disproportionate effort due to the special type of storage. In these cases, we may also store your data after the end of our contractual relationship for a period which is appropriate for the purposes and, if necessary, use it to a limited extent. In these cases, there is a restriction on processing instead of deletion. In other words, the data is barred from the otherwise usual use by appropriate measures.

### **Processing of your data in a third country or by an international organisation**

Data is transferred to bodies in countries outside the European Economic Area EU/EEA (so-called third countries) if it is necessary to fulfil a contractual obligation towards you (for example, in case of an application for a job abroad), or if it is in our or a third party's legitimate interest or if you have given us your consent.

Your data may also be processed in a third country in connection with the involvement of service providers as part of order processing. If there is no decision by the EU Commission on an adequate level of data protection in the country in question, we ensure that your rights and freedoms are adequately protected and guaranteed in accordance with EU data protection regulations by means of appropriate contracts and technical and organisational measures. Information on the suitable or appropriate guarantees and the way how to obtain a copy of these and where can be obtained on request from the company data protection officer or the HR department responsible for you.

### **Your data protection rights**

Under certain conditions, you can assert your data protection rights against us.

Every data subject has the right to information in accordance with Art. 15 GDPR, the right to rectification under Art. 16 GDPR, the right to erasure under Art. 17 GDPR, the right to restriction of processing under Art. 18 GDPR and the right to data portability under Art. 20 GDPR. The restrictions under Sections 34 and 35 BDSG apply to the right of access and the right to erasure. In addition, there is a right to lodge a complaint with a data protection supervisory authority (Art. 77 GDPR in conjunction with Section 19 BDSG).

If possible, your requests to exercise your rights should be sent in writing to the address given above or directly to our data protection officer.

## **Scope of your obligations to provide us with your data**

You only need to provide the data that is necessary for processing your application or for a pre-contractual relationship with us or that we are legally obliged to collect. Without this data, we will generally not be able to continue the application and selection process. If we request additional data from you, you will be informed separately about the voluntary nature of the information.

## **Existence of automated decision-making in individual cases (including profiling)**

We do not use any purely automated decision-making processes in accordance with Article 22 GDPR. If we do use such a procedure in individual cases in the future, we will inform you of this separately if this is required by law.

## **Information about your right to object – Art. 21 GDPR**

You have the right to object at any time to the processing of data of yours that is carried out on the basis of Art. 6 para. 1 f GDPR (data processing on the basis of a balancing of interests) or Art. 6 para. 1 e GDPR (data processing in the public interest). However, there must be grounds for your objection that arise from your particular personal situation. This also applies to profiling based on this provision within the meaning of Art. 4 No. 4 GDPR.

If you file an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which outweigh your interests, rights and freedoms, or the processing serves the establishment, exercise or defence of legal claims. You can, of course, withdraw your application at any time. We do not plan to use your personal data for direct marketing purposes. Nevertheless, we must inform you that you have the right to object to advertising at any time; this also applies to profiling insofar as it is associated with such direct advertising. We will honour this objection for the future.

The objection can be made informally and should preferably be addressed to the Management:

nemetris GmbH  
Sebastian Glückert  
Hechinger Straße 48  
72406 Bisingen  
sebastian.glueckert@nemetris.com