



# Duty to inform

## Collecting personal data from applicants

This data protection information informs you about how we process your applicant data.

### Summary:

- We use your data exclusively for the purpose of the application.
- During the application process, there are specific rights to view: Only the case workers and the hiring decision-makers will see your application documents.
- Your application will only be forwarded, e.g. for further job offers within the RATHGEBER group, with your consent.
- Inclusion in our applicant pool for filling future vacancies only takes place after you have given your consent.
- If you are not hired, we will delete your data after six months.
- When you are hired, we transfer relevant data to your personnel file.

## Data protection of applicant data with us

Pursuant to Article 4(1) GDPR, your personal data includes all information that relates or can be related to your person, in particular by means of assignment to an identifier such as a name or to an applicant number by which your person can be identified internally within the company.

## Personal information and personal data

Your application will provide us with information (both in paper and digital format). This is the data that you provide to us in the course of your application. This is all the data you provide to us. For example:

- Name
- Address
- Date of birth
- Birthplace
- E-mail address
- Information on school education, vocational training, further education and qualification
- References



## **Purposes of collection and processing**

We collect, process and use your personal data exclusively for the purpose of the application (= initiation of an employment relationship).

Your data will only be processed for purposes other than those mentioned above if such processing is permissible pursuant to Article 6 (4) GDPR and is compatible with the original purposes. We will inform you about such processing prior to any such further processing of your data.

## **Your data protection rights**

You have a right to information about the personal data stored about you, about the purposes of processing, about any transfers to other bodies and about the duration of storage.

You can also obtain extracts or copies to exercise your right to information. If data is inaccurate or no longer necessary for the purposes for which it was collected, you may request that it be corrected, erased or restricted from processing. Where provided for in the processing procedures, you may also inspect your data yourself and correct it if necessary.

If your particular personal situation gives rise to reasons against the processing of your personal data, you may object to processing insofar as the processing is based on a legitimate interest. In such a case, we will only process your data if there are special compelling interests for this.

If you have any questions about your rights and how to exercise them, please contact the Human Resources Department or the Data Protection Officer.

## **Legal basis for the processing of your personal data**

Your data is required for the implementation of pre-contractual measures (Article 6(1)(b) GDPR). This means that we need and thus process your data for the purpose of possible recruitment.

In individual cases, we may obtain your consent to the processing or transfer of your data. This may be the case, for example, if your application is to be kept for a longer period of time or if your application is to be considered for another position within our company. In these cases, your consent is voluntary and can be revoked by you at any time for the future.



## **Transmission of your personal information**

Your data will not be transferred to external bodies.

Certain human resources administration and management tasks are carried out centrally by the HR department. This includes, in particular, application management. For this purpose, specially defined departments have limited access rights to your data. Your data will only be transferred or disclosed to the extent necessary for this purpose and in compliance with the relevant data protection regulations.



## Conducting the interview by video using Microsoft Teams

We would like to inform you below about the processing of personal data in connection with the use of Microsoft Teams.

### Purpose of the processing

We use the Microsoft Teams tool to conduct job interviews virtually (hereinafter: "online meetings"). Microsoft Teams is a service of Microsoft Corporation.

**Note:** Insofar as you access the Microsoft Teams website, the provider of Microsoft Teams is responsible for data processing. However, access to the website is only necessary for the use of Microsoft Teams in order to download the software for the use of Microsoft Teams.

As a rule, it is not necessary to download the Microsoft app during an interview. In this case, you can use Microsoft Teams via your browser. However, the service will then also be provided via the Microsoft Teams website.

### What data is processed?

When using Microsoft Teams, various types of data are processed. The scope of the data also depends on the data you provide before or during participation in an online meeting.

The following personal data are subject to processing:

- **User details:** e.g. display name, e-mail address if applicable, profile picture (optional), preferred language.
- **Meeting metadata:** e.g. date, time, meeting ID, phone numbers, location
- **Text, audio and video data:** You may have the option of using the chat function in an online meeting. In this respect, the text you input is processed in order to display it in the online meeting. In order to enable the display of video and the playback of audio, the data from the microphone of your end device as well as from any video camera of the end device are processed accordingly for the duration of the meeting. You can switch off or mute the camera or microphone yourself at any time via the Microsoft Teams applications.

### Scope of processing

We use Microsoft Teams to conduct online meetings. If we want to record online meetings, we will transparently communicate this to you in advance and ask for your consent.

Chat content is logged when using Microsoft Teams. We store the chat content for a period of one month. If it is necessary for the purposes of logging the results of an online meeting, we will log the chat content. However, this will not usually be the case. Automated decision-making within the meaning of Article 22 GDPR is not used.



## **Legal basis for data processing**

Insofar as personal data of employees of RATHGEBER GmbH & Co. KG are processed, Section 26 of the German Federal Data Protection Act (BDSG) is the legal basis for data processing. If, in connection with the use of Microsoft Teams, personal data is not required for the establishment, implementation or termination of the employment relationship, but is nevertheless an elementary component in the use of Microsoft Teams, Article 6(1)(f) GDPR is the legal basis for data processing. In these cases, our interest lies in the effective implementation of online meetings.

In all other respects, the legal basis for data processing in the performance of online meetings is Article 6(1)(b) GDPR, insofar as the meetings are held in the context of contractual relationships.

If there is no contractual relationship, the legal basis is Article 6(1)(f) GDPR. Here too, our interest is in the effective implementation of online meetings.

## **Recipients / passing on of data**

Other recipients: The provider of Microsoft Teams necessarily receives knowledge of the above-mentioned data, insofar as this is required within the scope of our order processing contract with Microsoft Teams is provided for.

## **Data processing outside the European Union**

Data processing outside the European Union (EU) does not take place as a matter of principle, as we have limited our storage location to data centres in the European Union. However, we cannot exclude the possibility that data is routed via internet servers located outside the EU. This can be the case in particular if participants in online meetings are located in a third country.

However, the data is encrypted during transport over the internet and thus protected from unauthorised access by third parties.

## **Your rights as a data subject**

A right to data portability also exists within the framework of data protection law.



## **Person responsible for the processing of your personal data**

The responsible party for the collection, processing and use of your personal data, also in the case of online meetings, is, unless otherwise contractually agreed

RATHGEBER GmbH & Co. KG

Oberhaching plant: Kolpingring 3, 82041 Oberhaching

Mindelheim plant: Widdersteinstraße 2, 87719 Mindelheim, Germany

The applicant data is stored and processed in personnel data processing systems. The technical installation is designed in such a way that only a narrowly defined group of specially authorised persons is authorised to access the data and any other access or knowledge of the data is excluded according to the state of the art.

## **Complaints about the processing of your personal data**

If you have any concerns or a question about the processing of your personal data and information, you can contact the Human Resources Department. However, you can also contact the data protection officer or a data protection supervisory authority using the contact details below. For Bavaria, this is the Bavarian State Office for Data Protection Supervision.

Datenschutzkanzlei Lenz GmbH & Co KG

Bahnhofstraße 50, D-87435 Kempten

Phone: +49 831 930653-00

E-mail: lenz@deutsche-datenschutzkanzlei.de

## **Duration of storage**

Your personal data will only be stored as long as knowledge of the data is necessary for the purposes of the employment relationship or the purposes for which it was collected, or as long as legal or contractual retention requirements exist.

If a contractual relationship does not materialise, we keep your application data for six months for the purposes of AGG verifiability.

When a contractual relationship (=employment) is established, we will transfer the necessary information to the personnel file.

## **Amendment of this data protection notice**

We revise this data protection notice in the event of changes to data processing or other occasions that make this necessary. You will always find the current version on this website.

Status: 17.06.2021