

## PRIVACY POLICY FOR ONLINE APPLICANTS

Dated: 22 October 2018

### 1. OBJECTIVE AND SCOPE OF APPLICATION OF THE POLICY

This PERI privacy policy for online applicants (“privacy policy”) describes the data protection procedures and security precautions that the PERI Group (PERI GmbH & Co. KG and its subsidiaries as defined in section 15 German Stock Corporation Law (AktG) in Europe, (“PERI” or “we”)) employ in the collection, use and handling (“processing”) of your personal data in connection with our online and offline activities with regard to staff recruitment. This privacy policy also explains the options that you have with regard to these processing activities.

This privacy policy applies to the processing of personal data of applicants in connection with the online applicant platform of PERI.

### 2. DEFINITIONS AND EXPLANATIONS

**2.1. “Personal data”** refers to all information that is related to an identified or identifiable natural person (“**data subject**”). Customer and partner data in this regard belong to the personal data as much as data about employees. For instance, the name of a contact person permits conclusions about a natural person just as much as such a person’s email address. It is sufficient for the respective information to be tied to the name of the data subject or for connections to be able to be established with the data subject apart from this. Likewise, a person may be identifiable if the information first needs to be linked to additional knowledge. Photos, videos, or sound recordings, GPS position data, server log files, or a tax identification number may also be personal data.

**2.2. “Processing”** is any action carried out with or without the assistance of automated procedures or any such series of actions in connection with personal data, such as the collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction of personal data.

**2.3. “Controller”** is the natural or legal person, institution, or other body that decides solely or jointly with others on the purposes and means of processing personal data.

**2.4. “Processor”** is a natural or legal person, authority, institution or other body that processes personal data on behalf of the controller. Processors include certain IT service providers, cloud providers, call centres, or payroll service providers.

**2.5. “Recipient”** is a natural or legal person, authority, institution or other body to which personal data are disclosed.

**2.6. “Third party”** is a natural or legal person, authority, institution or other body, except for the data subject, the controller, the processor, and the individuals who are subject to the direct responsibility of the controller or of the processor and authorised to process the personal data (this may also include, for instance, freelancers).

**2.7. “Transfer”** is the process of making data public, including sharing, disclosing, and otherwise making available or enabling access to the data.

**2.8. “Employees”** within the meaning of this policy are employees within the meaning of Sec. 26 (8) German Federal Data Protection Act [BDSG], in particular employees and persons who are to be regarded as persons that are like employees on account of their lack of economic independence.

**2.9. “Data”** are all relevant documents and records including personal data.

### **3. CAREER SITE AND APPLICANT PORTAL**

When you apply for a vacant position on our online applicant platform, we process personal data that we obtain from you as part of the application process. These data come either from the application form that you fill out online on the application platform or from the files that you have uploaded (cover letter, passport photo, CV, reference letters). You can view and edit your application using our application portal. For that purpose, you must enter an email address and a password, which we process for the purposes of the application portal. We are notifying you below about further processing of your personal data as part of the respective application process. The processing activities described below always refer to the applicant.

### **3.1. What data do we process and what are the sources?**

We process the following data or categories of data during use of the online applicant platform:

#### **3.1.1. Data that we obtain from you as part of the application process**

We process the following data or categories of data, which we obtain from you directly or through persons authorised by you:

- Master data:
  - gender, name, address, telephone numbers and email address;
  - if stated by the applicant in the application form or resume: date of birth, place of birth, country of birth, and, if applicable, birth name, citizenship, marital status, etc.;
- Data about how you came to learn about the job offer.
- Data about the reason for the internship being sought (only applies in the event of an application for an internship).
- Data about schooling/training in detail (only applies in the event of an application for a training spot): start and end of schooling; type of school, type of diploma, total average grade of the last report card (without general conduct grade), grades from the last report card in the subjects of math, German, English, business management, accounting.
- Data about educational training (including school, university, professional training).
- Data about job-specific requirements (including IT knowledge, willingness to travel).
- Data about non-professional interests: hobbies, volunteering (these data may also be evident from your resume).
- Data about the content of former/current employment relationships, e.g. work tasks, performance data, positions filled, professional experience (These data can also be evident from your cover letter/resume/attached reference letters).
- Passport photo.
- Other data that you have voluntarily provided us with in the application process by uploading or otherwise sending to us, such as in your application letter, resume, or reference letters.

- Usage data:
  - The following data are processed for all visitors of the website, including those who do not complete the application process: IP address, website visited, date, and time of visit.
  - Data that are additionally accumulated through our online applicant platform regarding a completed application action: session ID, username/password.
- Communication data: Data about the communication content and other data that accumulate as part of the communication (for instance, telephone inquiries on our part, with regard to use of the contact form) with you.
- Data protection statements:
  - Declarations of consent to process personal data;
  - Declarations to revoke any consent that you have granted; declarations to object to the processing of personal data;
  - Declarations to assert your rights to access, rectification, erasure, limitation of processing, data portability including information that you communicate to us when asserting your rights.

### 3.1.2. Data that we obtain from third parties

We do not process any data or categories of data that we obtain from third parties.

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

We process your personal data on the basis of the following legal bases for the following purposes:

Purpose/justified interest	Processed data or category of data	Legal basis/bases
Using the website for application/contract initiation, including communication with	Master data, data about how applicant came to learn about the position, data about the reason for the internship being	Art. 6 (1b) GDPR

<p>the data subject</p>	<p>sought, data about the school education, passport photo, data about whether an internal applicant is involved, communication data, application number, other data that you have provided to us voluntarily in the application process by uploading it or otherwise sending it to us, such as in your application letter, resume, or reference letters</p>	
<p>It is shown whether the internal applicant has already applied for multiple positions. As a result, we have the ability to better coordinate internal job placement and finding the most efficient and satisfactory solution for both sides (applicant and potential employer).</p>	<p>Data about whether an internal applicant is involved</p>	<p>Art. 6 (1f) GDPR</p>
<p>Upon creation of an employment contract, data are stored in the personnel file of the data subject. These data then serve as the basis for later professional development of the data subject (for instance, recognizing continuing education/further development possibilities/need depending on prior knowledge, promotion</p>	<p>Master data, data about how applicant came to learn about the position, data about the reason for the internship being sought, data about the school education, data about whether an internal applicant is involved, communication data, application number, other data that you have provided to us voluntarily in the application process by uploading it or otherwise sending it to us, such as in your application letter, resume, or</p>	<p>Art. 6 (1f) GDPR</p>

possibilities depending on existing qualifications, etc.)	reference letters	
After an employment contract is created, the data are also stored in the personnel file of the data subject to monitor abuse.	Master data, data about how applicant came to learn about the position, data about the reason for the internship being sought, data about the school education, data about whether an internal applicant is involved, communication data, other data that you have provided to us voluntarily in the application process by uploading it or otherwise sending it to us, such as in your application letter, resume, or reference letters	Art. 6 (1f) GDPR
Registering on the website	Email address, username/password	Art. 6 (1b) GDPR
Verification (for instance, alignment with data as part of access to the user account)	Email address, username/password	Art. 6 (1b) GDPR
Based on the application process, any mutual legal claims (for instance, pre-contractual claims, General Act on Equal Treatment claims) may arise. The collected data are necessary to assert, exercise, or defend these (potential) legal claims.	Master data, communications data, usage data	Art. 6 (1f) GDPR
Consent management (management of declarations of consent and revocation under data protection laws and unfair	Master data, data protection declarations	Art. 6 (1c) GDPR

competition laws		
Management of the rights of data subjects (processing inquiries of data subjects regarding access, rectification, erasure, limitation of processing, and data portability to satisfy the rights of the data subjects under data protection law	All data or categories of data that are the subject of the respective inquiry	Art. 6 (1c) GDPR

### **3.3. Who will obtain my data?**

Within PERI GmbH & Co. KG, only those entities will obtain your data that are entrusted with the preparation and execution of the application process. This means the employees in the human resources department and the specialized departments in which a position is to be filled, the managers and potential supervisors. Depending on the vacancy for which you apply, we will forward your data to the responsible office for the purposes of the application process. In addition, the works council will receive the application documents. And any service providers that we use and that perform work on a contract basis (processors, see Art. 28 GDPR) can process data for these stated purposes.

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

To the extent necessary, we process and store your personal data for the duration of the application process. If an employment relationship / training relationship / internship is created after the application process, the data will initially be further stored and transferred to the personnel file. Otherwise, the application process ends upon the applicant's receipt of a rejection. The data will be anonymized no later than 6 months after receiving the rejection. This does not apply to the extent that the processing and storage of your personal data is necessary in the specific case to assert, exercise, or defend legal claims (duration of a legal dispute).

Finally, the storage period is also determined according to the statutory limitation periods that, for instance, may be up to 30 years in accordance with sections 195 et seq. of the German Civil Code (BGB), whereas the regular limitation period is three years.

## **4. YOUR RIGHTS AS A DATA SUBJECT**

### **4.1. Right to access, rectification, erasure, limitation, and transfer**

If the legal conditions are satisfied, you have the right to demand from us access to personal data or data processing concerning you (Art. 15 GDPR), rectification, erasure, and limitation of personal data or data processing concerning you (Art. 16 to 18 GDPR) and transfer of the personal data concerning you (Art. 20 GDPR).

### **4.2. Right to revocation**

In addition, if the statutory conditions set forth under Art. 21 GDPR are satisfied, you are entitled to a right to object to data processing that is based on a “justified interest” of the controller in accordance with Art. 6 (1f) GDPR.

You have the right to revoke your declaration of consent under data protection law at any time. By means of the revocation of consent, the lawfulness of the processing that has taken place based on the consent prior to the revocation is not affected.

**To exercise any of these rights, please contact us at the email address [data.protection@peri.de](mailto:data.protection@peri.de) or the postal address PERI GmbH & Co. KG, Rudolf-Diesel-Straße 19, 89264 Weißenhorn, Germany.**

### **4.3. Right to appeal to a supervisory authority**

In accordance with Art. 77 (1) GDPR, you have the right to file a complaint with the supervisory authority if you are of the opinion that the processing of your personal data is not being carried out lawfully, particularly that it is violating the GDPR. The address of the supervisory authorities having jurisdiction over us is:

Bavarian Data Protection Office  
Promenade 27 (Schloss)  
91522 Ansbach

## **5. WHAT RESPONSIBILITIES DO YOU HAVE?**

You are responsible for the personal data that you provide or make available to PERI, and you must ensure that these data are pertinent, truthful, accurate, and in no way misleading.

You must ensure that the provided data do not include any materials that are obscene or defamatory or that violate the rights of a third party. Please also make sure that the data do not contain any malicious code or that they are not otherwise legally actionable. If you provide personal data about another person such as someone providing a reference, you are responsible for providing notices to this effect and obtaining all permissions that PERI needs in order to record and use this information as described in this privacy policy.

## **6. CONTACT PERSON/DATA PROTECTION OFFICER**

If you have any questions about data protection or if you want to make use of your data subject rights, please contact our data protection officer Dr. Sebastian Kraska at the email address [data.protection@peri.de](mailto:data.protection@peri.de) or the person who was stated in the job notice as a contact person.

## **7. CHANGES TO THIS PRIVACY POLICY**

We reserve the right to adapt this privacy policy at any time to technical and statutory requirements. Furthermore, we also refer to our general data protection provisions for our websites.

Current as of October 2018

\*\*\*