

Data protection information for employees and applicants

We inform you herewith regarding our processing of your personal data and the rights and entitlements accorded to you by the data protection regulations laid down in Articles 13, 14 and 21 of the GDPR.

1 Who is responsible for data processing and who can I contact?

Prometeus GmbH
Neulandstrasse 6
74889 Sinsheim
Germany

Our formally designated external data protection officer is: Mr

Michael Grein (ext. DSB)
Verimax GmbH, Warndtstr. 115, 66127 Saarbrücken, Germany
Tel.: +49 (0)89 / 800 6578-25

datenschutzbeauftragter@isc-group.com

2 What sources and data do we use?

We process personal data (Art. 4 No. 2 GDPR) that we receive from you in the course of selection and recruitment procedures or during an employment relationship. In addition, we process – as far as is required for the employment relationship – personal data that we receive through legal channels from other sources (e.g. reasonable queries about tax-related data from the responsible financial office, information about periods of incapacity to work from health insurers). Furthermore, we process personal data that we have received permissibly from third parties (e.g. recruitment agencies). Relevant personal data includes above all your key data (first/second name, personnel number, address and other contact data), log data accrued through the use of the IT systems and other data resulting from the employment relationship (e.g. time recording data, holiday periods, periods of incapacity, assessments, training, social data, bank details, social security number, pension number, salary details and tax ID number) and other data comparable with the named categories. Special categories of personal data as per Art. 9 No. 1 GDPR can also come under this heading.

3 Why do we process your data (purpose of the processing) and on the basis of what legal foundation?

We process personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Law (Bundesdatenschutzgesetz, BDSG).

3.1 To fulfil contractual obligations (Art. 6 No. 1 Lit. b GDPR i.c.w. § 26 (1) BDSG; Art. 88 No. 1 GDPR i.c.w. § 26 (4) BDSG)

The processing of personal data takes place first of all in the context of employment, i.e. in particular for the purposes of recruitment, fulfilment of employment contracts including the fulfilment of obligations determined by legal prescriptions or collective agreements (company agreements), in order to make use of individual or collective rights and services connected with employment and for the purposes of ending the employment relationship. In particular:

- to record periods of presence and absence;
- for payroll accounting and travel expense reimbursement;

- for personnel management (e.g. handling of company cars, insurance, old-age pensions);
- for personnel file management, employee discharging (e.g. creating certificates).

3.2 In the course of balancing interests (Art. 6 No. 1 Lit. f GDPR)

As far as required, we process your data beyond the actual fulfilment of the contract in order to safeguard the justified interests of ourselves and third parties. In particular:

- To carry out and document legally or operationally necessary legal, technical or economic assessments (e.g. audits, reliability testing as per the German Money Laundering Act (Geldwäschegesetz, GwG), etc.);
- to guarantee proper data processing according to the requirements of IT security and data protection law (e.g. log files);
- to analyse and correct technical errors;
- to ensure system security and system availability;
- to optimise and control the systems (e.g. updating the list of blocked Internet sites, “black list”, optimising network services);
- to monitor data protection/for data protection and data security purposes;
- in order to identify contacts (e.g. names, telephone numbers, email addresses, functions, membership of departments/teams) and to carry out internal and external communication;
- for personnel planning and personnel controlling;
- for personnel deployment planning and personnel deployment;
- for personnel management;
- for permissible performance and behavioural monitoring (especially relating to staff representation);
- for entry/access control;
- for HR reporting;
- for personnel development;
- to store resubmission dates (e.g. end of trial period, time limits, duration of maternity leave, etc.);
- for automated driving licence checking in connection with owner liability.

3.3 With your consent (Art. 6 No. 1 lit. A GDPR)

To whatever extent you have granted us permission to process your personal data for certain purposes (e.g. to carry out company integration management; to carry out voluntary employee surveys), the legality of this processing rests on your consent. Consent once given can be revoked at any time. This also applies to the revocation of declarations of consent – such as, for example, those given regarding publication in the staff magazine – which were made to us before the GDPR was in force, that is, before the 25th May 2018.

Please take note that the revocation only applies for the future. Processing that has taken place before the revocation is not affected.

3.4 On the basis of legal requirements (Art. 6 No. 1 Lit. c GDPR i.c.w. § 26 BDSG)

In addition, we, as employers are subject to various legal obligations, or legal requirements. Processing occurs in such cases, e.g.

- to fulfil legal provisions (e.g. tax matters, official statistics, social security, etc.),
- to fulfil legal disclosure obligations.

3.5. Processing of special categories of personal data to fulfil legally determined/collective-agreement-based rights/obligations in the area of employment law,

social security or social protection law (Art. 9 No. 2 Lit. b GDPR i.c.w. § 26 (3) BDSG), assessment of ability to work (art. 9 No. 2 lit. h GDPR i.c.w. § 22 (1) Lit. b BDSG)

Insofar as we process special categories of personal data, within the framework of the employment relationship this serves to exercise rights or fulfil legal obligations drawn from employment law, social security law and social protection law. In particular:

- submission of health data to the health insurer,
 - recording of severe disability because of additional leave and determination of severe disability payments.
- In addition, the processing of health data as per Art. 9 No. 2 Lit. h GDPR i.c.w. § 22 (1) Lit. b BDSG may be required to assess ability to work.

4 Who receives my data?

Within the company, the positions that receive your data are those (e.g. the relevant manager, department) that require it for the fulfilment of our contractual and legal obligations.

Alongside this, we use various service providers to fulfil our contractual and legal obligations. You can view a list of the processors and other service providers with whom more than a temporary business relationship exists in our data management system or receive a copy on request.

In addition, we may transmit your personal data to further recipients outside the firm insofar as this is necessary to fulfil our contractual and legal obligations as employers. These can include, e.g.:

- agencies (e.g. pension insurance organisations, occupational benefit schemes, social security insurers, financial agencies, courts),
- the employee's bank (SEPA payment medium),
- health insurers,
- travel management for the organisation and implementation of foreign travel (e.g. secondments),
- insurance partners for foreign health insurance on the occasion of employee secondments,
- retirement provision offices, in order to pay out capital-accumulation benefits.

5 For how long are my data stored?

As far as they are required for the above-mentioned purposes (No. 3), we process and store your personal data for the duration of your employment relationship, which also includes, for example, the initiation and processing of the employment contract. Here it must be noted that the employment relationship is a continuing obligation intended to last years.

In addition, we are subject to various retention and reporting obligations resulting from, among others, the German Commercial Code (Handelsgesetzbuch, HGB) and the Tax Code (Abgabenordnung, AO). According to these, data storage limits can be set at up to 10 years. Ultimately, the storage period is also determined based on the legal limitation periods, which last as a rule 3 years according to §§ 195 et seqq. of the German civil code (Bürgerliches Gesetzbuch, BGB), but can also last up to 30 years in certain cases.

6 Are data sent to a third country or to an international organisation?

Data transfers to third countries (states outside the European Economic Area, EEA) do take place as we work with internationally-based cloud solutions. Also in the case of employee secondments abroad and for the organisation and implementation of foreign travel, the transfer of employee data to third countries is sometimes necessary.

This is especially the case for hotel reservations, flight bookings, rental cars, visas, etc.

7 What data protection rights do I have?

Every data subject has the right to **access** as per Art. 15 GDPR, the right to **rectification** as per Art. 16 GDPR, the right to **erasure** as per Art. 17 GDPR, the right to **restriction of processing** as per Art. 18 GDPR, the right to **data portability** as per Art. 20 GDPR and the right to **object** as per Art. 21 GDPR. In the case of the rights to access and to erasure, the restrictions as per §§ 34 and 35 BDSG are in force. In addition there is a right of appeal to a supervisory data protection authority (Art. 77 GDPR i.c.w. § 19 BDSG). For example:

Datenschutz und Informationsfreiheit Baden-Württemberg,
Königstrasse 10a 70173 Stuttgart, Germany
Telephone: +49 (0) 711 61 55 41 0
Fax: +49 (0) 711 61 55 41 15
Website: <https://www.baden-wuerttemberg.datenschutz.de>
Email: poststelle@lfdi.bwl.de

8 Am I obliged to provide data?

In the course of your employment, you only have to provide those personal data that are required for the foundation, execution and termination of the employment relationship and the fulfilment of the concomitant contractual obligations or those which we are legally required to record. Without these data we will, as a rule, not be able to conclude an employment contract with you.

9 To what extent is there an automated individual decision-making process (including profiling)?

For the foundation, execution and implementation of the employment relationship, we in principle use **no** automated individual decision-making process including profiling as per Art. 22 GDPR. If we use these processes on a case-by-case basis, we will inform you especially of this to the extent that this is legally required.