

## Data Privacy for Recruiting

Privacy policy for applicants, employees and freelancers

Duty to provide information in accordance with Art. 13 GDPR when collecting personal data from applicants, employees and freelancers.

### 1. Name and contact details of the responsible person

NetDescribe GmbH  
Keltenring 7  
82041 Oberhaching

(hereafter "NetDescribe", "we", "us").

### 2. Contact details of the data protection officer

WENZA AG Germany  
Responsible Mr. Kent Schwirz  
Am alten Gaswerk 5  
22761 Hamburg  
Contact: [www.wenza.de](http://www.wenza.de)  
E-Mail: [datenschutz@wenza.de](mailto:datenschutz@wenza.de)

### 3. Purposes for which the personal data are to be processed and the legal basis for processing

In order to be able to carry out the application procedure, the employment contract or service contract, we, as well as third parties or processors commissioned by us, process the following data from you, provided you have notified us during the application process or in the course of the employment relationship or during the course of the employment  
Employment ratio incurred:

- personal details (name, address, telephone, if applicable date of birth, if necessary e-mail address)
- Further information in the CV, employment certificates, emergency contacts, certificates
- Salary data, sick leave

### 3.1. Data usage based on your consent (Art. 6 (1) a) GDPR)

As far as you agree with the storage of your application in our applicant pool, the purpose of the data processing is the use of your application for a later job. The legal basis for this is Art. 6 para. 1 a) GDPR.

The existing employment relationship may also result in the processing of special categories of personal data. The processing of such data is based on Art. 9 (2) (a) and (b) GDPR. The confession of faith is given voluntarily on the basis of your consent, if you want to claim appropriate rights or have the church contribution paid by your employee.

The indication of any trade union affiliation or the specification of emergency contacts is made voluntarily on the basis of your consent or a company agreement.

All consent is voluntary and may be revoked at any time by the Human Resources Department.

### 3.2. Data processing for the fulfillment of the contract between you and us (Art. 6 (1) (b) GDPR)

In the case of the conclusion of a contract of employment we process your data for the execution of the employment relationship. Legal basis is Art. 88 DSGVO, § 26 BDSG-new.

In the case of the conclusion of a service contract or work contract with you as a freelancer, we process your data for the execution of the service contract. The legal basis for this is Article 6 (1) (b) GDPR.

A number of your data (such as user IDs, e-mail addresses, IP addresses) is processed for the administration and security of the IT system. This includes created and archived text documents (e.g., correspondence). This includes data collected in connection with internet usage. Without this data processing a safe operation of the system and thus employment in our company is not possible.

#### 4. Obligation to provide personal data

The provision of personal data is required for the implementation of the application process or contract (work, service, or work contract) at NetDescribe. The non-provisioning would mean that the application process could not be carried out or a contract could not be concluded.

#### 5. Automated decision making including profiling

NetDescribe does not profiling.

#### 6. Transfer of data to a third country

Transfers of data to countries outside the EU and the European Economic Area ("third countries") result in the administration, development and operation of IT systems. The transmission takes place only in the following cases:

- The transmission is generally permitted, because a legal permission has been fulfilled or you have consented to the transmission of data and
- the specific conditions for transfer to a third country are met.

## 7. Receivers of data and data sources

### 7.1. Categories of recipients of data

As far as legally permissible, we pass personal data on to external persons:

- external service companies for financial accounting
- Authorities to fulfill legal reporting obligations
- IT service provider to maintain our IT infrastructure
- in the case of labor disputes to legal representatives and courts

### 7.2. Data sources

We process personal data that we have received from you as part of our business relationships. As far as it is necessary for the provision of our service, we process personal data, which we from publicly accessible sources (debtor directories, land registers, trade and association register, press, Internet)

to be legitimately obtained or transmitted by other third parties (a credit agency or an address service provider).

## 8. Storage duration

In case of application, personal data will be stored for the duration of the application process. Personal data may also be stored for the performance of a task which is in the public interest or in the exercise of official authority. In addition, personal data may also be stored for the duration of the exercise or defense of legal rights.

Documents from rejected applicants are kept for up to six months on the basis of the General Equal Treatment Act (AGG) and the Code of Civil Procedure (ZPO).

In addition, if a consent has been given for the storage of the application in a pool of applicants, it will be stored for the period of validity of this declaration of consent.

In the case of the conclusion of a contract of employment, personal data will be stored for the duration of the employment relationship. The same applies to service contracts or work contracts with freelancers. Personal data may also be stored for the performance of a task which is in the public interest or in the exercise of official authority. In addition, personal data may also be stored for the duration of the exercise or defense of legal rights.

The personal file will be kept after termination of the employment relationship at the expiry of the statutory limitation period from the due date of the claim up to three years. Individual documents of the personal file (eg payroll accounts, exemption certificates) are also kept for a period of up to six years (according to the Income Tax Law and Tax Code) or up to ten years (according to the Commercial Code).

## 9. Affected rights

NetDescribe is responsible for the processing of your data unless stated otherwise. You can request information from us (Article 15 GDPR) on the data stored about you and its correction (Art. 16 GDPR) at any time in case of errors. Furthermore, you can demand the restriction of processing (Art. 18 GDPR), the transferability (Art. 20 GDPR) of the data provided by us in a machine-readable format or the deletion of your data - as far as they are no longer needed.

In addition, you have the right to object to the use of your data based on public or legitimate interests at any time (Article 21 GDPR). Insofar as we process your data on the basis of your consent, you can revoke this consent at any time with effect for the future (Article 7 (3) GDPR). From the receipt of your cancellation, we will no longer process your data for the purposes stated in the consent. Please direct your revocation or a contradiction to:

NetDescribe GmbH  
Keltenring 7  
82041 Oberhaching

E-Mail: [datenschutz@wenza.de](mailto:datenschutz@wenza.de)

## 10. Right of appeal to a supervisory authority

You can also contact a regulatory authority at any time with a complaint. Basically, the Bavarian State Office for Data Protection Supervision, PO Box 606, 91511 Ansbach, is responsible for us. Alternatively, you can go to your local regulatory agency.

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For reasons of readability, the male form is chosen for the aforementioned positions; However, the information refers to members of all genders.