

DATA PROTECTION INFORMATION FOR JOB APPLICANTS (M/F/D) INFORMATION ACCORDING TO ART. 13, 14, 21 OF THE GENERAL DATA PROTECTION REGULATION (GDPR)

With the following information, we provide you as a job applicant (m/f/d) with an overview of the ways in which we process your personal data and of your rights in this respect.

1. PERSON RESPONSIBLE FOR DATA PROCESSING, CONTACT

Ernst Schweizer AG
Bahnhofplatz 11
CH-8908 Hedingen
Tel. +41 44 763 61 11

E-mail: datenschutz@ernstschweizer.ch

Our [data protection officer](#) can be reached at:

GDI Gesellschaft für Datenschutz und Informationssicherheit mbH [GDI Data Protection and Information Security Company Ltd.]

Mr Olaf Tenti, B.Sc. IT
Körnerstr., 45, 58095 Hagen, GERMANY
Tel.: +49 (0)2331/356832-0
datenschutz@gdi-mbh.eu

2. DATA USED AND ORIGIN OF THE DATA

We process data that you provide to us as part of your job application. In particular, the following personal data and categories of data are processed for the purposes mentioned under point 3: genannten Zwecke verarbeitet:

- Data on you as a person (first name, surname, address, marital status)
- Data on your qualifications (educational and professional qualifications, certificates, language skills, additional qualifications)
- Data on your curriculum vitae (type, start, end, place and duration of school education, training, studies, further training and professional activities)
- If applicable, bank account data in the context of a reimbursement of costs
- Other documents submitted and information resulting from them.

We may also process personal data that we have obtained from publicly accessible sources (e.g. information on social networks such as Xing or LinkedIn).

3. PURPOSE OF DATA PROCESSING, LEGAL BASIS

3.1 PREPARATION OF A CONTRACT

We process your data to reach a decision on the establishment of an employment relationship with you. The legal basis of the processing is therefore Art. 88 of the GDPR

We would like to evaluate all applicants only according to their qualifications and therefore ask you to refrain as far as possible from providing information in the application about racial and ethnic origin, political opinions, religious or ideological beliefs or trade union membership, genetic data, biometric data for the unique identification of a natural person, health data, data on sexual life or sexual orientation.

3.2 YOUR GRANT OF CONSENT

Insofar as you have given us consent for the processing of personal data, in particular the processing of any special categories of personal data provided, your grant of consent in each case is the legal basis for the processing mentioned therein. This applies in particular to your possible consent to the further storage of data in an applicant pool, even if your current application has been rejected, in the event that we later have a new need.

We process the data provided on the basis of your consent pursuant to Art. 6, section 2, letter (a) of the GDPR or, in the case of special categories of personal data, Art. 9, section 2, letter (a) of the GDPR. This consent can be revoked at any time with effect for the future. Processing that took place before the revocation will not be affected by this.

You can address your revocation of consent 1 to the data protection officer mentioned under point 1 above.

3.3 REIMBURSEMENT OF COSTS

Insofar as we have undertaken to reimburse you for travel expenses when attending an interview or similar, we process your account data for the reimbursement of these costs. The legal basis is the fulfilment of our promise to reimburse costs within the meaning of Art. 6, section 1, letter (b) of the GDPR.

4. TRANSFER OF DATA

Your data will only be passed on if a legal basis permits this. The data mentioned under point 2 will be transmitted to government agencies if there is a legal obligation to do so or if you have given your consent to this transmission. Such state authorities may include, in particular, the tax and customs authorities, as well as the commercial supervisory authorities. Within our company, only those offices receive your data that need them to fulfil our contractual and legal obligations or to carry out their respective tasks.

Furthermore, personal data may be transmitted for the purpose of order processing, in particular to IT service providers.

5. DURATION OF DATA STORAGE / DELETION

We process your personal data for the selection of a suitable candidate for the vacant position. After that, the data will be deleted, at the latest, when no more civil claims against us can be enforced, such as might arise in particular from the Allgemeines Gleichbehandlungsgesetz [General Equal Treatment Act]. If we do not delete the data immediately, we will place a blocking notice on the data.

6. TRANSFER OF DATA TO THIRD COUNTRIES

Your data will only be transferred to countries outside the European Economic Area / EEA (third countries) if and insofar as this is necessary for the performance of the contractual relationship or is required by law (e.g. for accounting or administrative purposes), or if you have given your consent thereto.

Insofar as we use software from providers based in third countries or software from providers having subcontractors / service providers in third countries to carry out our contractual relationship, your data or parts of your data may – depending on the purpose of processing – be transferred to third countries (e.g. to the United States of America).

We would like to point out that with the discontinuation of the EU-US Privacy Shield, there is currently no adequacy decision by the European Commission with reference to the United States within the meaning of Article 45, section 3 of the GDPR that would ensure a sufficient level of data protection. We have therefore agreed standard data protection clauses within the meaning of Article 46, section 2, letter (c) of the GDPR with the service providers / suppliers we use for the purpose of protecting your data. Furthermore, some of our service providers have implemented binding internal data protection regulations (Binding Corporate Rules / BCR) within the meaning of Art. 47 of the GDPR for their in-house operations, which have been approved by the respective competent supervisory authorities.

7. EXISTING DATA PROTECTION RIGHTS

Under the respective legal conditions, you have the right to information (Art. 15 GDPR), to correction (Art. 16 GDPR), to deletion (Art. 17 GDPR), to restriction of processing (Art. 18 GDPR), to objection (Art. 21 GDPR) and to data portability (Art. 20 GDPR).

You also have a right of appeal to the competent data protection supervisory authority (Art. 77 GDPR).

8. DATA USE FOR PROFILING, AUTOMATED DECISION MAKING

We do not process your data with the aim of evaluating certain personal aspects (the process known as 'profiling').

9. OBLIGATION TO PROVIDE DATA

You are under no legal or contractual obligation to provide personal data as part of your application. Please note however that our ability to assess your skills and knowledge depends on the data you provide. If you do not provide any data, our assessment may not reflect your actual suitability for the position to be filled, so that you may not be considered for recruitment for this reason.

In the context of a possible recruitment, we collect certain data that we need for the fulfilment of the contract (e.g. for the payment of your salary) or that we are legally obliged to collect (e.g. data on social security).

10. RIGHT OF OBJECTION ACCORDING TO ART. 21 GDPR

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data relating to you which is carried out on the basis of Art. 6, section 1, letter (f) of the GDPR (Data Processing on the Basis of a Balancing of Interests); this also applies to profiling based on this provision within the meaning of Art. 4, no. 4 of the GDPR. If you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or if the processing serves to assert, exercise or defend legal claims.

The objection can be made without any formalities and should, if possible, be served using the contact details mentioned under point 1 above.

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