

# Information on the collection and the processing of your personal data as part of the application process

Diligence and transparency are the foundation for a trusting relationship. Which is why we are informing you on how we process your personal data and how you may assert the rights to which you are entitled under the General Data Protection Regulation (GDPR) and the new Federal Data Protection Act (BDSG).

## 1 Who is the data controller?

The data controller is:

agineo GmbH  
represented by the managing directors  
Mr. Thomas Haveneth and Mr. Uwe Scariot  
Pascalstr. 25  
52076 Aachen

## 2 How do you contact the Data Protection Officer?

You can contact our Data Protection Officer at:

agineo GmbH  
Personally/confidentially addressed to the Data Protection Officer  
Pascalstr. 25  
52076 Aachen  
Email: [datenschutz@agineo.de](mailto:datenschutz@agineo.de)

## 3 For which purposes and on which legal basis do we process your personal data?

We process the personal data you provide to us within the application process, for the purpose of your application for an employment relationship or for a contractual relationship, to the extent that this is necessary for the decision to conclude an employment relationship or a contractual relationship with you. The legal basis for this is Section 26 (1) BDSG in conjunction with Art. 88 GDPR.

We also process your personal data based on a legitimate interest, for example, to defend against any applicable legal claims asserted against us in response to the application procedure, to provide burden of proof in proceedings under the General Equal Treatment Act (AGG), and to ensure IT security. The legal basis for this Art. 6 (1) (f) GDPR.

Should we wish to store your personal data in order to consider you for future positions applicable to you, we shall obtain your separate consent pursuant to Art. 6 (1) (a) GDPR.

To the extent that an employment relationship or contractual relationship between you and us is established, we may, pursuant to Section 26 (1) BDSG, further process the personal data already obtained from you for employment or contractual purposes, insofar as this is necessary for the performance or termination of the employment relationship, or for the performance or fulfillment of the rights and obligations of the employees' interests arising from a law or a collective wage agreement, a works agreement or service agreement (collective agreement).

Your application data shall not be processed outside the stated purpose.

#### **4 Who are the recipients of your data?**

Your data is primarily processed by our Human Resources department and the respective department responsible for the purpose of processing.

We may transfer your personal data to companies affiliated with us, to the extent permitted by the purposes and legal bases set forth in Section 3.

Apart from this, personal data shall be processed on our behalf based on contracts pursuant to Art. 28 GDPR, in particular by host providers or providers of applicant management systems. We thus ensure that the service providers comply with the provisions of data protection laws in the same manner we do.

#### **5 Is your data transferred to countries outside the European Union (so-called "third countries")?**

Your personal data shall not be transferred to countries outside the European Union.

#### **6 How long will your data be stored?**

We store your personal data for as long as is necessary to reach a decision about your application. If an employment relationship is not established between you and us, we may also further retain your data, as far as and to the extent this is necessary to defend against possible legal claims. The application documents shall be erased six months after notification of rejection of the application, unless a longer retention period is necessary due to legal disputes. Where data is stored with your consent, we shall retain the personal data until you withdraw your consent, but no longer than two years.

#### **7 What are your rights in connection with the processing of your data?**

You have the right of access to information (Art. 15 GDPR), the right to rectification (Art. 16 GDPR), the right to erasure (Art. 17 GDPR), the right to restriction of processing (Art. 18 GDPR), the right to data portability (Art. 20 GDPR), and the right to object (Art. 21 GDPR). In regard to right of access to information and the

right to erasure of data, the restrictions set forth in Sections 34 and 35 of the German Federal Data Protection Act (BDSG) apply. In addition, the right to lodge a complaint with the competent data protection authority applies.

If processing takes place on the basis of a legitimate interest (Art. 6 (1) (f) GDPR), you have the right to object to the processing on grounds relating to your particular situation. Should you lodge an objection, we will discontinue processing your personal data, unless we can demonstrate compelling legitimate grounds for such processing which override your rights, interests, and freedoms, or such processing is conducted for the establishment, exercise, or defense of legal claims.

If you have granted your consent to process data, you have the right to withdraw this consent from us with effect for the future.

Please contact us or our Data Protection Officer to assert your rights.

## **8 Are you obliged to make your personal data available?**

The provision of personal data is not required by law or contract, nor are you obliged to provide personal data. The provision of your personal data, however, is required for the purpose of concluding an employment contract with us. This means that if you fail to provide us with personal data in your application, we will be unable to enter into an employment relationship with you.

## **9 Changes to this information**

Should the purpose or method of processing your personal data change significantly, we will promptly update this information.