



Data protection information sheet – Applicants

Information in accordance with Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)

Dear applicants,

We hereby inform you in accordance with Articles 13, 14 and 21 GDPR about the processing of your personal data by us and the claims and rights to which you are entitled under data protection regulations.

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

The responsible body is:

GERG GmbH
Im Grund 3, 83104 Hohenthann
Telefon: +49 (0) 8065 9037-0
E-Mail-Adresse: info@gerg.de

You can reach our company data protection officer at:

GERG GmbH
Im Grund 3, 83104 Hohenthann
Telefon: +49 (0) 8065 9037-0
E-Mail-Adresse: datenschutz@gerg.de

2 . What data do we process?

We process personal data that we receive from you as part of the recruitment process or when you contact us.

Where necessary, we also process personal data that we have legitimately received from other companies or other third parties (e.g. recruitment agencies).

On the other hand, we process personal data that we have legitimately obtained from publicly accessible sources (e.g. professional networks, press, media) and are authorised to process.

Relevant personal data includes personal details (e.g. name, address and other contact details, date and place of birth, nationality) and your application data (e.g. CV, references, assessments). In exceptional cases, this may also include special categories of personal data (sensitive data).



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3 . What do we process your data (purpose of processing) and on what legal basis?

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

a) For the fulfilment of pre-contractual obligations (Art. 6 para. 1. lit. b, Art. 88 DS-GVO in connection with § Section 26 para. 1 sentence 1 and para. 3 BDSG)

The processing of personal data (Art. 4 No. 2 GDPR) is **carried** out for the purpose of carrying out the application procedure and making a selection decision as part of the recruitment process. The data processing therefore serves to establish an employment contract. The purposes of the data processing are primarily based on the intended employment relationship.

Further details on the purpose of data processing can be found in any documents sent to you.

b) In the context of the balancing of interests (Art. 6 para. 1 lit. f) GDPR)

Where necessary, we process your data to protect our legitimate interests or those of third parties. Examples:

- Assertion of legal claims and defence in legal disputes;
- Ensuring IT security and IT operations;
- Prevention and investigation of criminal offences;
- Measures for building and system security (e.g. access controls);
- Measures to ensure domiciliary rights;
- Other activities required for the operation and administration of a company.

b) Based on your consent (Art. 6 para. 1 lit. a) GDPR in connection with § Section 26 (2) BDSG)

If you have given us your consent to process personal data for specific purposes, the lawfulness of this processing is based on your consent. Any consent given can be revoked at any time. Please note that the revocation is only effective for the future. Processing that took place before the revocation is not affected.

d) On the basis of legal requirements (Art. 6 para. 1 lit. c) GDPR) or in the public interest (Art. 6 para. 1 lit. e) GDPR)

We are also subject to various legal obligations, i.e. legal requirements (e.g. commercial law, tax laws, etc.). Insofar as data is processed in this regard, this is done exclusively on the basis of these regulations.



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4 . Who receives your data?

Within the company, those departments that need your data to fulfil our contractual and legal obligations will receive it. Processors employed by us (Art. 28 GDPR) or other service providers may also receive data for these purposes. These are, for example, companies in the IT services category.

With regard to the transfer of data to recipients outside the company, please note that we will only pass on your data if this is permitted or required by law, you have given your consent, or if we are authorized to provide information. Under these recipients of personal data may be, for example:

- Public bodies and institutions (e.g. employment agency, social insurance institutions, public prosecutor's office, police, supervisory authorities) if there is a legal or official obligation.
- Other companies to which we transfer personal data to the extent necessary (depending on your activity or qualification and the status of the recruitment process: e.g. employment agencies, banks).

Other data recipients may be those organisations for which you have given us your consent to transfer data.

5 . How long will your data be stored?

We process and store your personal data for the duration of the application process, which also includes, for example, the initiation and conclusion of an employment contract. If your application does not result in an employment relationship, your data will be stored for a period of 6 months after completion of the application process. Your data will then be deleted immediately, unless one of the following regulations applies by way of exception and we are authorised or obliged to continue storing it.

We are subject to various retention and documentation obligations, including those arising from the German Commercial Code (HGB) and the German Fiscal Code (AO). The retention and documentation periods specified there are two to ten years, but do not generally apply to your application data.

Finally, the storage period is also determined by the statutory limitation periods, which can generally be three years, for example in accordance with Sections 195 et seq. of the German Civil Code (BGB).

6 . Will data be transferred to a third country or to an international organisation?

Data will only be transferred to third countries (countries outside the European Economic Area - EEA) if this is exceptionally necessary or legally required to carry out the application process or if you have given us your consent. We will inform you separately about details if necessary.



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7 . What data protection rights do you have?

As a data subject, you have the following rights:

- right of access under Art. 15 GDPR
- right to rectification under Art. 16 GDPR
- right to erasure under Art. 17 GDPR
- right to restriction of processing under Art. 18 GDPR
- right to data portability under Art. 20 GDPR

The restrictions under Sections 34 and 35 BDSG apply to the right of access and the right to erasure. There is also a right to lodge a complaint with a data protection supervisory authority (Art. 77 GDPR in conjunction with Section 19 BDSG). The authority responsible for you depends on your place of residence. The data protection supervisory authority responsible for Bavaria is:

Bayerisches Landesamt für Datenschutzaufsicht
Promenade 27
91522 Ansbach
Telefon: +49 (0) 981 180093-0
Telefax: +49 (0) 981 180093-800
E-Mail: poststelle@lda.bayern.de

8 . Is there an obligation for you to provide data?

As part of our intended contractual relationship or the application process, you only need to provide the personal data that is necessary for the application process and, if applicable, the establishment of a contractual relationship or that we are legally obliged to collect. Without this data, we will generally not be able to carry out the application process or will have to refuse to conclude an employment contract with you.

9 . To what extent is there automated decision-making in individual cases?

In principle, we do not use fully automated decision-making, including profiling in accordance with Art. 22 GDPR, to carry out the application process. Should we use these procedures in individual cases, we will inform you of this separately.

Information about your right to object in accordance with Article 21 of the General Data Protection Regulation (GDPR). Right to object on a case-by-case basis:

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on Article 6(1)(e) GDPR (data processing in the public



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interest) and Article 6(1)(f) GDPR (data processing on the basis of a balancing of interests); this also applies to profiling based on this provision.

If you object, 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 the processing serves the establishment, exercise or defence of legal claims.

The objection can be made informally and should preferably be addressed to:

GERG GmbH
Im Grund 3, 83104 Hohenthann
Telefon: +49 (0) 8065 9037-0
E-Mail-Adresse: info@gerg.de