

## Data Privacy Protection Information for Job Applicants

We are providing this information to you so that you understand how your personal data are processed within the scope of the application procedure and the rights to which you are entitled.

### **1. Owner**

FEV Europe GmbH  
Neuenhofstraße 181  
52078 Aachen  
Tel.: 0241-5689-0

<https://www.fev.com/de/kontaktformular.html>

### **2. Kontakt**

If you have any questions regarding the processing of your personal data, this information or the assertion of your rights as a data subject, please contact our data protection coordinator:

Tel.: (+49)241 56890

E-Mail: [dp-coordinator@fev.com](mailto:dp-coordinator@fev.com)

<https://www.fev.com/de/kontaktformular.html>

### **3. Privacy officer**

Jens-Martin Heidemann  
Scheja und Partner Rechtsanwälte mbB  
Adenauerallee 136  
53113 Bonn  
Germany  
Tel.: +49 228-227 226 0

<https://www.scheja-partner.de/kontakt/kontakt.html>

### **4. Legal basis, purposes and duration of data processing**

The following information describes the legal grounds and purposes of data processing during job application procedures.

#### **4.1 Data processing for the purpose of the job application procedure**

We process your personal data as part of the decision-making process regarding the establishment of an employment relationship.

In doing so, we process solely the personal data from you that are related to your application and are necessary for determination of your professional and personal skills as relevant for the vacant position. They include:

- Contact details, including your name, address and telephone number

- Data about your career, training and qualifications
- Data on any advanced training measures and additional qualifications
- Applicant motivation
- Employment references

Special categories of personal data within your application data may include:

- Religious affiliation
- Status as a disabled person

You yourself essentially determine the scope of the personal data by submitting your application documents.

We may supplement your application data with the following data during the application procedure:

- Notes on the course of the application procedure

The data are processed in accordance with point (b) of Article 6 (1) GDPR [EU General Data Protection Regulation] in conjunction with Section 26 (1) first sentence, (8) second sentence Federal Data Protection Act [*Bundesdatenschutzgesetz; BDSG*].

We process special categories of personal data pursuant to Section 26 (3) first sentence BDSG.

You are not obligated to provide us with any personal data. Nevertheless, the provision of certain personal data is required for the conduct of the application procedure and the decision about the conclusion of an employment contract. If you do not provide us with all the personal data necessary for the application procedure when you apply, we will not be able to consider you during the application procedure.

We erase the data six months after the conclusion of the application procedure.

If and when we establish an employment relationship with you, we do not erase the data from the application procedure completely, but, insofar as necessary, add it to your personnel file. We process these data for the purpose of performing the employment relationship and will give you more details about this processing in a separate form.

If your application is unsuccessful, we will continue to store your application data as required by legal obligations pursuant to Section 4.2 or erase them after no more than six months.

#### **4.2 Fulfilment of legal obligations**

We process your personal data to comply with legal obligations to which we are subject.

This relates to the following cases:

- Personal data that we process in conjunction with the reimbursement of application costs

Data processing is carried out pursuant to point (c) of Article 6 (1) GDPR in conjunction with retention periods pursuant to commercial and tax law regulations.

We process data concerning you that constitute special categories of personal data within the sense of Article 9 (1) GDPR in accordance with Section 26 (3) first sentence BDSG or Article 9 (2) GDPR.

We erase the data upon expiration of the legally prescribed periods, usually after ten years.

#### **4.3 Pursuit of legitimate interests**

We process your personal data in pursuit of our legitimate interests and/or the legitimate interests of third parties provided that, after weighing all factors, we do not believe that your interests or fundamental rights and freedoms override our interests.

This relates to the following cases:

- Assertion, exercise or defence of legal claims arising from the application procedure. Our legitimate interest in processing your application data would (for example) relate to the obligation to provide evidence in legal proceedings.

Data processing in this case is based on point (f) of Article 6 (1) GDPR.

If in these situations we process special categories of personal data within the sense of Article 9 (1) GDPR for the establishment, exercise or defence of legal claims, we act in compliance with point (f) of Article 9 (2) GDPR.

We erase the data six months after the conclusion of the application procedure.

#### **4.4 Consent**

We process your personal data on the basis of a declaration of consent you have submitted insofar as you have given us such a declaration for specific purposes. You can also determine the purpose pursued with the processing in the text of the pertinent declaration of consent.

This relates to the following cases:

- Your application did not result in your employment with our company. Nevertheless, you have given us your consent to the sharing of your application data with other FEV companies.

In this situation, the data are processed in accordance with point (a) of Article 6 (1) GDPR in conjunction with Section 26 (2) BDSG. If we also process special categories of personal data on the basis of your consent, the data processing is carried out pursuant to point (a) of Article 9 (2) GDPR in conjunction with Section 26 (2), (3) BDSG.

You have the right to withdraw your consent at any time. If you exercise your right of withdrawal, we will no longer process your personal data on the basis of your original consent. However, the withdrawal is without prejudice to the lawfulness of any processing that was performed on the basis of the consent prior to the withdrawal.

We erase the data six months after the conclusion of the application procedure.

## 5. Recipients

Within our company, solely those departments and employees working in these departments with an absolute need to know the data to achieve the purposes set forth in Section 3 have access to your personal data, namely, specifically authorised persons from the HR department and the department for which your application is relevant.

We disclose your personal data to external recipients solely if there are legal grounds for this or you have consented to the disclosure. External recipients may be:

- Processors we engage to provide services or who are entrusted with the maintenance of our IT systems
- Public authorities: government authorities and institutions such as public prosecutors' offices, courts or fiscal authorities to which we may transfer personal data in specific cases if and insofar as there are legal grounds, in particular an obligation, to do so in the specific case
- Private entities: other FEV Group companies insofar as you have given your consent to the transfer or we handle your application submitted to another FEV company

## 6. Sources of personal data when collected from third parties

We do not process solely personal data that we collect directly from you. On the contrary, we also obtain your personal data from third parties in certain situations. Below is an overview of the sources of such third-party collections of your data.

- We receive your application data for the purpose of the application procedure from the application portals and personnel service providers.
- If you have a publicly viewable profile on [StepStone, Monster, LinkedIn, XING etc.] or disclose your profile to us as part of the application procedure, we may also collect personal data from you for the purposes of the application procedure. You alone determine the scope and availability of the data.

## 7. Data processing in third countries

If and when you apply through us to a subsidiary in a third country, your personal data will be transferred to entities whose registered office or site of data processing is not located in a member state of the European Union (EU) or in another state that is a party to the treaty on the European Economic Area (EEA). Data will be transferred to the company to which you have applied solely if we have the assurance that, apart from exceptional cases permitted by law, either an adequate level of data protection exists for the recipient (e.g. through an adequacy decision of the European Commission or through suitable guarantees such as the agreement of so-called EU standard data protection clauses of the European Commission with the recipient) or you have given your express consent to the transfer.

You can obtain from us an overview of the recipients in third countries and a copy of the specific regulations/guarantees ensuring the appropriate level of data protection. Use the contact details of the owner provided under Section 1 for your request.

## 8. Rights of the data subject

As a data subject, you have the following rights pursuant to the GDPR, provided that the legal requirements are met:

**Access:** You have the right to obtain information about the data concerning you that are processed.

**Rectification:** You may request the rectification of inaccurate data concerning you. Furthermore, you may request the completion of incomplete data.

**Erasure:** In certain cases, you may request the erasure of your personal data.

**Restriction of processing:** You may request the restriction of the processing of your data in certain cases.

**Data portability:** If you have provided data on the basis of a contract or consent, you may request that the data you have provided be given to you in a structured, common and machine-readable format or that they be transferred to another owner.

**Withdrawal of consent:** You may withdraw the consent for the processing of your personal data you have given to us at any time with effect for the future (**Consent withdrawal**). The withdrawal of your consent is without prejudice to the lawfulness of the processing of your data prior to the withdrawal.

**Right to object in specific cases:**

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you that is carried out pursuant to point (f) of Article 6 (1) GDPR (weighing of interests).

If you raise an objection, we will no longer process the personal data concerning you unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms or the processing is required for the establishment, exercise or defence of legal claims.

**You may contact us at any time to assert your rights as a data subject. Please use the contact details of the owner found in Section 2 above for this purpose.**

**Right to lodge a complaint with supervisory authorities:** You have the right to lodge a complaint with a supervisory authority, in particular in the member state of your habitual residence, place of work or place of the alleged infringement, if you believe that the processing of personal data concerning you it is unlawful.

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