

Dear Applicant,

The protection of your personal data is of great importance to us. For this reason, we would like to inform you about the operational procedures in the use of your personal data during the recruitment process at NIVUS.

It should be said right at the start: NIVUS only uses your personal data for performing the recruitment procedure to fill vacant posts in NIVUS's corporate division Germany. Only those persons who are actively involved in the recruitment process to fill a post will have access to your data. Your personal data will not be used outside the recruitment procedure.

You are provided below with detailed information on the subject of data protection at NIVUS:

Who is responsible for the data processing and who is your data protection officer?

The party responsible for the data processing - the controller - is

NIVUS GmbH
Im Täle 2
75031 Eppingen
Tel.: 07262 9191 0
E-Mail: info@nivus.com

You can reach our data protection officer under: datenschutz@emetz.de

Which data categories do we use in the recruitment procedure and where do they originate from?

The categories of personal data processed in the course of a possible appointment (application phase) include, in particular, your master data (such as first name, surname, name affixes, nationality), contact details (such as private address, (mobile) telephone number, e-mail address) and also further data (e.g. data concerning qualifications, work activities, where appropriate, previous convictions, social data, bank account details). They may also include special categories of personal data such as health-related data. As a rule, your personal data will be collected from you direct within the scope of the recruitment process. In addition, we may also have received data from third parties (e.g. employment agencies).

For which purposes and on which legal basis is your data processed?

We process your personal data in compliance with the provisions of the EU General Data Protection Regulation (GDPR), the Bundesdatenschutzgesetz (BDSG) [Federal Data Protection Act] - in its respectively valid version - and also all further relevant laws (e.g. BetrVG [Betriebsverfassungsgesetz - Works Constitution Act], ArbZG [Arbeitszeitgesetz – Working Hours Act] etc.).

Data processing is principally used in connection with the establishment, implementation and termination of the employment relationship. The primary legal basis in this connection is Art. 6 (1) (b) GDPR in combination with § 26 (1) BDSG. In addition, collective agreements (group, general and works agreements as well as collectively agreed regulations) pursuant to Art. 88 (1) GDPR in

combination with § 26 (4) BDSG and also, where appropriate, your separate consent pursuant to Art. 6 (1) (a), 7 GDPR in combination with § 26 (2) BDSG (e.g. in regard to photographs) may be drawn upon as legal provisions conferring consent in terms of data protection law.

We also process your data in order to be able to fulfil our legal duties, in particular in the area of tax and social security law. The legal basis for this is Art. 6 (1) (c) GDPR in combination with § 26 BDSG.

In addition, in so far as necessary, we process your data on the basis of Art. 6 (1) (f) GDPR in order to protect our legitimate interests or those of third parties (e.g. authorities). This applies particularly in connection with the investigation of criminal offences (legal basis § 26 (1), sentence 2, BDSG) or within the Group for purposes of Group management, internal communication and other administrative purposes.

Where special categories of personal data pursuant to Art. 9 (1) GDPR are processed within the application phase, this serves within the scope of the employment relationship to facilitate the exercise of rights or the performance of legal duties arising under employment law, the law governing social security and social protection (e.g. disclosure of health-related data to the health insurance provider, the recording of a severe disability on account of additional leave and determination of the levy for failing to employ enough severely disabled persons). This is carried out on the basis of Art. 9 (2) (b) GDPR in combination with § 26 (3) BDSG. In addition, the processing of health-related data may be necessary in order to assess your working capacity pursuant to Art. 9 (2) (h) in combination with § 22 (1) (b) BDSG.

Should we intend to use your personal data for any purpose not mentioned above, we will inform you hereof beforehand.

Who is given your data?

Within our company, the only persons and sections which are given your personal data (e.g. department, works council, representative body for the severely disabled) are those which need this data in order to fulfil our contractual and statutory duties.

Within our corporate Group, your data is transferred to certain companies where these perform data processing tasks centrally for the affiliated companies in the Group (e.g. centralisation IT). In addition, we engage various service providers in some cases within the scope of commissioned processing for the performance of our contractual and statutory duties (e.g. external waste paper disposal firm).

Which data protection rights can you, as a data subject, assert?

You may, by applying to the address stated above, demand information concerning the data stored in relation to yourself. Furthermore, you may, subject to certain conditions, demand the rectification or erasure of your data. You may also have a right to restriction of the processing of your data as well as a right to be provided with the data supplied by you in a structured, commonly used and machinereadable format.

For legal reasons, we inform you below of your right of objection. We do not, however, use your personal data for the purpose of direct advertising as referred to in the notice below.

You have the right to object to the processing of your personal data for purposes of direct advertising without stating reasons. Where we process your data to protect legitimate interests, you may object to such processing on grounds arising from your personal situation. We will then no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which outweigh your interests, rights and freedoms or if the processing serves to facilitate the assertion, exercise or defence of legal claims.

Where can you lodge your complaint?

You have the possibility to apply to the above-named data protection officer or to a data protection supervisory authority with a complaint. The data protection supervisory authority responsible for us is:

Der Landesbeauftragte für den Datenschutz und die Informationsfreiheit
Baden-Württemberg
Königstraße 10a, 70173 Stuttgart
Telefon: 07 11/61 55 41 - 0 Telefax: 07 11/61 55 41 - 15
E-Mail: poststelle@lfd.bwl.de

How long do we store your data?

We erase your personal data as soon as it is no longer needed for the above-mentioned purposes no legitimate interest on our part permits a longer period of storage. Furthermore, it may happen that personal data is retained for the period during which claims may be asserted against us (statutory limitation periods of three or up to thirty years).

Will your data be transferred to a third country?

We only transfer employee data to countries outside a Member State of the European Union or another signatory state to the Agreement on the European Economic Area in observance of the legal stipulations applicable in this connection, and only for specific purposes which have been previously clearly defined within the scope of your employment relationship or the preparations therefor.

Are you obliged to provide your data?

Within the scope of your employment, you must provide the personal data necessary for the establishment of the employment relationship as well as the personal data which we are obliged to collect by law. Without this data, we will not be in a position to carry out the recruitment process with you.

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