

## **STAR Micronics GmbH**

### **Privacy Policy for Applicants (m/f/d)**

With the following Privacy Policy for Applicants, we inform you about the handling of your personal data, which we process in the context of your application procedure in our company, and about your resulting rights.

The following information applies to any way you apply to us, whether through our website, email, postal mail or otherwise.

#### **1. Controller, data protection officer of the controller**

We, Star Micronics GmbH, are the controller for the processing of your personal data in the context of your application procedure in accordance with Article 4 Subsection (7) EU General Data Protection Regulation (hereinafter referred to as “**GDPR**”). Our contact details are:

Star Micronics GmbH  
Robert-Grob-Strasse 1  
75305 Neuenbürg  
Germany  
e-mail: [jobs@starmicronics.de](mailto:jobs@starmicronics.de)  
phone: +49 (7082) 7920-0  
fax: +49 (7082) 7920-20

The data protection officer of Star Micronics GmbH pursuant to Article 37 GDPR, § 38 German Federal Data Protection Act (*Bundesdatenschutzgesetz – BDSG*) (hereinafter referred to as “**GFDPA**”) has the following contact details:

Star Micronics GmbH  
– Datenschutzbeauftragter –  
Robert-Grob-Straße 1  
75305 Neuenbürg  
Germany  
e-mail: [datenschutz@starmicronics.de](mailto:datenschutz@starmicronics.de)  
phone: +49 (7082) 7920-0  
fax: +49 (7082) 7920-20

#### **2. Origin of the personal data we process about you**

We process personal data that you provide to us in the course of your application process. This data originates from your application documents sent to us and, if applicable, from the interviews we conduct with you.

If relevant, we also receive personal data on application procedures and the candidates involved via recruiters, personnel consultants or other personnel service providers.

Furthermore, we may process personal data that we have obtained from publicly accessible sources (e.g. professional social networks on the Internet, press, media) to the extent permitted by law.

### **3. Types of personal data we process about you**

The personal data we process about you may belong in particular to the following categories of data:

- your application documents
- your personnel master data (e.g. name, title, academic degrees, address, contact details, date of birth and place of birth and nationalities)
- the reasons and motivations you have communicated for your application
- Information about your education at schools, vocational schools, colleges and universities
- your results from final and other examinations
- Information on your qualifications and their development (e.g. your professional experience, language skills and further training)
- details on your previous employments (e.g. the dates you joined and left your employers and your positions/titles)
- supplementary documents sent by you, such as curriculum vitae, certificates, letters of reference
- information from your profiles on work-related social media (such as XING, LinkedIn, etc.)
- details of your non-work interests and activities such as hobbies, voluntary work, etc.
- where relevant, health care or occupational health data,
- photo
- contents of communications in writing or text form that we have with you as part of your application process
- contents of interviews that we conduct with you as part of your application process

We only process these categories of data if and to the extent that we are legally obligated or authorized to do so, or you have consented.

### **4. Purposes and legal bases for the processing of your personal data**

Your personal data is processed for the purposes listed below and on the basis of the following legal grounds from the GDPR and the GFDPA:

#### **4.1 On the implementation of the application procedure**

We process your personal data insofar as this is necessary for the implementation of your application procedure and our decision on the establishment of an employment relationship.

The legal basis for the aforementioned data processing is Section 26 (1) Sentence 1 GFDPa and Article 6 Subsection (1) (b) GDPR.

#### **4.2 For other purposes in the application context**

In addition to processing for the purpose of deciding whether to establish an employment relationship, we also process your personal data, where relevant and permissible, for the following purposes:

- planning and organization of work in our company
- equality and diversity in the workplace
- exercise of our rights related to your application

The legal basis for the aforementioned data processing is Article 6 Subsection (1) (f) GDPR. Our legitimate interest in the data processing follows from the recognition of the above purposes in Article 88 Subsection (1) GDPR.

#### **4.3 To fulfill legal obligations**

We process your personal data to fulfill our legal obligations, in particular our obligations under commercial law, tax law, social security law, data protection law and occupational health and safety law.

The legal basis for the aforementioned data processing is Section 26 Subsection (1) Sentence 1 GFDPa and Article 6 Subsection (1) (c) GDPR.

#### **4.4 Based on your consent**

If you have given us consent to process your personal data in a particular way, we will process the personal data in question in accordance with the purposes set out in your declaration of consent and to the maximum extent permitted therein.

You can revoke your consent at any time with effect for the future, e.g. by e-mail to [jobs@starmicronics.de](mailto:jobs@starmicronics.de) or by sending a message to our other contact details specified in section 1 above.

The revocation of a consent has the consequence that we may no longer continue the data processing based on this consent for the future; however, the lawfulness of a processing of personal data carried out on the basis of the consent until the revocation remains unaffected.

The legal basis for data processing operations based on consent is Section 26 Subsection (2) of the GFDPA and Article 6 Subsection (1) (a) GDPR, in the case of underage applicants in conjunction with Article 8 Subsection (1) GDPR.

#### **4.5 Processing of special categories of personal data**

Insofar as we process special categories of personal data within the meaning of Article 9 Subsection (1) GDPR, this shall be done for the purposes of the application process, insofar as the processing is necessary for the exercise of rights or the fulfillment of legal obligations arising from labor law, social security law or social protection law and there is no reason to assume that the data subject's legitimate interest in the exclusion of the processing is overridden.

The legal basis for the processing of special categories of personal data within the meaning of Article 9 Subsection (1) GDPR is, subject to the following two paragraphs, Section 26 Subsection (3) GFDPA, Article 9 Subsection (2) (b) GDPR.

Insofar as the processing of health data is necessary for the assessment of your ability to work, the legal basis for this is Article 9 Subsection (2) (h) GDPR.

Insofar as the processing of health data is based on consent, the legal basis for this is Section 26 Subsection (2) GFDPA, Article 9 Subsection (2) (a) GDPR, Article 6 Subsection (1) (a) GDPR.

#### **5. Recipients of your personal data**

The following recipients may receive personal data from you to the extent necessary and permitted by law:

- the processors we use in accordance with Article 4 Subsection (8) GDPR, Article 28 GDPR,
- other service providers that we use to fulfill our pre-contractual, contractual or legal obligations, e.g. providers of IT services, telecommunications, legal advice, tax advice, auditing, other advice,
- as far as necessary: banks for the processing of possible payments,
- public bodies and institutions (e.g. tax authorities, social insurance agencies, law enforcement authorities), however in each case only if we are under a legal or official obligation.

Notwithstanding the foregoing, we will only transfer personal data relating to you to recipients outside our company if and to the extent that we are legally obligated or authorized to do so, you have consented, or we are authorized or obligated to provide information to the recipient.

## 6. Transfer of personal data to countries outside the EU or the EEA

Personal data is only transferred to third countries (i.e. countries outside the European Union and the European Economic Area (EEA)) if this is legally permitted or legally required, or if you have given us your consent. We will inform you separately about the details of this, if required by law.

## 7. Deletion of your personal data

Personal data that we have obtained about you as part of the application process will be deleted as soon as one of the following events occurs:

- If the application process ends with an acceptance, we continue to store the personal data from the application process and transfer it to the personnel file(s),
- If the application process ends with a rejection, we delete the personal data from the application process no later than 6 months after the rejection; however, this does not apply insofar as the processing of the data is necessary for the assertion, enforcement or defense of claims or other rights,
- the legal basis for processing the data ceases to exist, or
- the possibility for either party to assert claims arising from or in connection with the application process no longer exists in law, e.g. following a waiver or the occurrence of the statute of limitations pursuant to sections 194 et seqq. German Civil Code (*Bürgerliches Gesetzbuch – BGB*).

However, if we are legally obligated to store your personal data for a longer period of time, e.g. according to the provisions of the German Commercial Code (*Handelsgesetzbuch*) or the German Fiscal Code (*Abgabenordnung*), the data will only be deleted after the resulting storage periods have expired.

Furthermore, we store your personal data from the application process beyond the periods listed above, insofar as you have given us your consent to do so. In this case, we delete your personal data, subject to a longer storage period from the above regulations, after the expiry of the period covered by your consent.

## 8. No obligation to provide personal data

You have no legal obligation to provide personal data as part of the application process.

However, if you do not provide us with personal data that is necessary for the application process or our decision on the establishment of an employment relationship, this may have an impact on the application process or our decision on the establishment of an employment relationship.

## 9. No automated individual decision-making

As a matter of principle, we do not use individual automated decision-making in accordance with Article 22 GDPR as part of the application process.

If we use such a procedure in deviation from this in an individual case, we will inform you of this separately, insofar as this is required by law.

## 10. No automated profiling

We do not use your personal data for automatic profiling.

“Profiling” means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements.

## 11. Your rights

You have the following rights with respect to us regarding personal data concerning you:

- The right of **access / information** pursuant to Article 15 GDPR regarding your personal data processed by us;
- the right to **rectification** pursuant to Article 16 GDPR regarding your personal data stored by us or by our Hosting Service Provider;
- the right to **erasure** your personal data stored by us or our Hosting Service Provider deleted pursuant to Article 17 GDPR, unless the processing of this data by us is necessary for the exercise of the right to freedom of expression and information, for the fulfilment of a legal obligation, for reasons of public interest or for the assertion, exercise or defense of legal claims;
- the right to **restriction of processing** of your personal data pursuant to Article 18 GDPR, to the extent (i) the accuracy of the data is contested by you, (ii) the processing is unlawful, but you object to its erasure, (iii) we no longer require the data, but you need it to assert, exercise or defend legal claims, or (iv) you have objected to the processing in accordance with Article 21 DS-GVO;

- **in case we process your personal data on the basis of legitimate interests pursuant to Article 6 Subsection (1) Sentence 1 letter (f) GDPR, you have the right pursuant to Article 21 GDPR to object to the processing of your personal data either on grounds relating to your particular situation or in case of direct marketing; you can exercise your right to object by sending an e-mail to [jobs@starmicronics.de](mailto:jobs@starmicronics.de) or a message to our other contact details listed in section 1 of this Privacy Policy is sufficient;**
- the right to **data portability** pursuant to Article 20 GDPR, which means, subject to further conditions, the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller;
- the right pursuant to Article 7 Subsection (3) GDPR to **withdraw any consent** you have given to us with respect to data processing at any time; you may assert this right for example by sending an e-mail to [jobs@starmicronics.de](mailto:jobs@starmicronics.de) or by sending a message to our other contact details specified in Section 1 of this Privacy Policy; such a withdrawal effects that we have to discontinue the data processing which is based on your withdrawn consent for the future; however, the withdrawal of your consent will not affect the lawfulness of processing based on the respective consent before its withdrawal;
- the right pursuant to Article 77 GDPR to **lodge a complaint with a supervisory authority**; usually, you can therefore address the supervisory authority competent for your main residence, your place of work or the registered seat of Star Micronics GmbH.

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