

Data protection information for job applicants, employees and freelancers

Duty to inform pursuant to Art. 13 GDPR when the personal data of job applicants, employees and freelancers are collected

1. Name and contact data of the controller

Tebis Technische Informationssysteme AG
Einsteinstr. 39
82152 Martinsried/Planegg, Germany
(referred to hereinafter as “Tebis AG,” “we,” “us”).

2. Contact data of the Data Protection Officer

Holzhofer Consulting GmbH
Martin Holzhofer
Lochhamer Str. 31
82152 Planegg, Germany
Phone: (0 89) 1 25 01 56 00
E-mail: datenschutzbeauftragter@holzhofer-consulting.de

3. Purposes for which personal data are processed and legal basis for processing

In order to carry out the job application process, employment contract, service contract or work contract, we process and third parties authorized by us or job processors process the following data of yours provided that you have given us these data in the job application process or in the course of the employment relationship, or the data arise in the course of the employment relationship:

- Personal information (name, address, telephone number, possibly date of birth, possibly e-mail address)
- Additional information in the curriculum vitae, references, emergency contacts, certificates
- Salary data, sick leave

3.1. Data usage on the basis of your consent (Art. 6 para. 1 a) GDPR)

If you consent to the storage of your job application in our applicant pool, the purpose of data processing is to use your job application for a later position. The legal basis for this is Art. 6 para. 1 a) GDPR.

Special categories of personal data may also be processed in the course of the existing employment relationship. Such data are processed on the basis of Art. 9 para. 2 a) and b) GDPR. Your religious confession is indicated voluntarily on the basis of your consent if you wish to exercise related rights or have your employer withhold the church contribution from your pay.

Any trade union affiliation or emergency contacts are indicated voluntarily on the basis of your consent or a works agreement.

All consents are voluntary and can be revoked at any time by notifying the human resources department.

3.2. Data processing to perform the contract between you and us (Art. 6 para. 1 b) GDPR)

If you enter into an employment contract with us, we will process your data to perform the employment contract. The legal basis is Art. 88 GDPR, Section 26 German Federal Data Protection Act, new version (BDSG-new).

If we enter into a service or work contract with you as a freelancer, we will process your data to perform the service or work contract. The legal basis for this is Art. 6 para. 1 b) GDPR.

Various items of your data (e.g. user IDs, e-mail address, IP address) will be processed for the administration and security of the IT system. This includes prepared and archived text documents (e.g. correspondence). This also includes data collected in the course of Internet usage. Without this data processing, the secure operation of the system and therefore your employment in our company would not be possible.

4. Obligation to provide personal data

The provision of personal data is necessary to carry out the job application process or conclude a contract (employment, service or work contract) with Tebis AG. Not providing this data would mean that the job application process could not be carried out or a contract could not be concluded.

5. Automated decision making, including profiling

Tebis AG does not perform any profiling measures.

6. Data transfer to a third country

Data transfers to countries outside of the EU and the European Economic Area ("third countries") occur for purposes of the administration, development and operation of IT systems. Data transfers take place only in the following cases:

- The transfer is fundamentally permissible because a statutory condition for permission is met or you have consented to the data transfer, and
- The special conditions for a transfer to a third country are met.

7. Recipients of data and data sources

7.1. Categories of recipients of data

We disclose personal data to outside third parties to the extent permitted by law:

- Outside providers of financial and payroll accounting services
- Government authorities to fulfill statutory reporting obligations.
- IT service providers to maintain our IT infrastructure.
- To legal representatives and courts in the event of labor law disputes

7.2. Data sources

We process the personal data that we have received from you in the course of our business relationships with you. To the extent required for providing our service, we process personal data that we permissibly obtain from publicly accessible sources (debtor registers, land registers, trade and association registers, press, Internet) or that are lawfully transmitted to us by other third parties (credit agency or address service provider).

8. Duration of storage

In case of a job application, personal data are stored for the duration of the job application process. Personal data may also be stored for the performance of a task carried out for reasons of public interest or the exercise of official authority. In addition, personal data may also be stored for the duration of the exercise or defense of legal claims.

Documents of job applicants whose applications have been denied are retained for up to six months on the basis of the General Equal Treatment Act (AGG) and the Code of Civil Procedure (ZPO).

If consent was given to store the job application in an applicant pool, it will also be stored for the term of effect of this consent declaration.

If an employment contract is concluded, personal data will be stored for the duration of the employment relationship. The same applies for service or work contracts with freelancers. Personal data may also be stored for the performance of a task carried out for reasons of public interest or the exercise of official authority. In addition, personal data may also be stored for the duration of the exercise or defense of legal claims.

The personnel file is retained after the termination of the employment relationship until the expiration of the statutory limitation period for up to three years from the due date of the claim. In addition, some documents in the personnel file (e.g. payroll accounts, exemption certificates) are retained for up to six years (in accordance with the Income Tax Act and Tax Code) and up to ten years (in accordance with the Commercial Code).

9. Rights of data subjects

Unless otherwise stated, Tebis AG is responsible for processing your data. You can request **information** from us at any time (Art. 15 GDPR) about your stored personal data and request **rectification** in the event of errors (Art. 16 GDPR). You can also request the **restriction of processing** (Art. 18 GDPR), the **portability** of the data you provided to us in a machine-readable format (Art. 20 GDPR) or the erasure of your data if they are no longer needed.

You also have the right at any time **to object to** the use of your data on the basis of public or legitimate interests (Art. 21 GDPR). To the extent that we process your data on the basis of a consent given by you, you can **revoke** this consent at any time with effect for the future (Art. 7 para. 3 GDPR). Upon the receipt of your revocation, we will no longer process your data for the purposes indicated in the consent. Please direct your revocation or objection to:

Tebis Technische Informationssysteme AG
Einsteinstr. 39
82152 Martinsried/Planegg, Germany
E-mail: webmaster@tebis.com

10. Right to lodge a complaint with a supervisory authority

You can also lodge a complaint with a supervisory authority at any time. The Bavarian State Office for Data Protection Supervision, P.O. Box 606, 91511 Ansbach, Germany, has fundamental jurisdiction over us. Alternatively, you can contact the supervisory authority that has jurisdiction over your area.

For the sake of readability, the masculine form has been used in the aforementioned personal designations; however, all statements refer equally to members of all sexes.