

# Data protection information for applicants

## BAUER Group



We hereby inform you about the processing of your personal data as an applicant for a position within the BAUER Group and your rights under data protection law.

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

The responsible party and first point of contact for data processing is

BAUER Aktiengesellschaft  
BAUER-Straße 1, 86529 Schrobenhausen,  
Germany  
Phone +49 8252 97-0, Fax +49 8252 97-1359  
Email: [info@bauer.de](mailto:info@bauer.de)

You can contact our data protection officer at:

BAUER Aktiengesellschaft - Data Protection  
Officer  
BAUER Straße 1, 86529 Schrobenhausen,  
Germany  
Tel. +49 8252 97-0, Fax +49 8252 97-1329  
Email: [bag-datenschutz@bauer.de](mailto:bag-datenschutz@bauer.de)

The joint controllers for data processing are BAUER Aktiengesellschaft, which, as the group holding company with a central human resources department, provides services in the area of personnel recruitment for its affiliated companies, and the respective affiliated company to which your application is assigned. The respective affiliated company is the controller for data processing.

### What personal data is processed?

We process the data that you and/or recruiters send us in connection with your application (applicant master data, contact details, qualifications, references, nationality (if applicable), work and residence permits, health data, application photo) in order to assess your suitability for the position (or other open positions in our companies, if applicable), to carry out the application process and, if applicable, to hire you.

### Who receives your data?

Within our companies, only those persons and departments (e.g., specialist department, works council, representative for disabled employees, human resources department) who are involved in the decision regarding your employment will receive your personal data.

In addition, we have outsourced data processing for application procedures to an external service provider via our online application tool. We have concluded a contract for order processing with this service provider.

Processors and vicarious agents used by us, in particular for data storage and communication, as well as other third parties, may also receive data for the aforementioned purposes. These are companies in the following categories: distribution partners, IT

services, accounting services, logistics, payment services, telecommunications, public authorities and institutions (e.g., financial and customs authorities, law enforcement agencies, courts) in the event of a legal or regulatory obligation, insolvency administrators in the context of insolvency proceedings, insurance companies, auditors, tax advisors, lawyers.

Other possible recipients include other group companies, if you have agreed to be included in our applicant pool, or other data recipients on the basis of your consent.

### For what purpose and on what legal basis is your data processed?

We process your personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG) for the following purposes:

- a. To fulfill contractual obligations (Art. 6 (1) (b) GDPR)  
Personal data is processed for the purpose of carrying out the application process as a pre-contractual measure for the establishment of an employment/work contract and, in the event of employment, for the performance of such a contract.
- b. For health care or occupational medicine (Art. 9 (2) (h) GDPR, Section 22 (1) (b) BDSG)  
The processing of health data may be necessary for the assessment of your ability to work in accordance with Art. 9 (2) (h) in conjunction with Section 22 (1) (b) BDSG.
- c. As part of the balancing of interests (Art. 6 (1) (f) GDPR)  
Where necessary, we process your data beyond the actual fulfillment of the contract to protect our legitimate interests or those of third parties, such as for compliance checks and to assert and defend against legal claims.
- d. Based on your consent (Art. 6 para. 1 lit. a GDPR)  
If you have given your consent to the processing of personal data, the respective consent is the legal basis for the processing specified therein. Consent that has been given can be revoked informally at any time with effect for the future, without affecting the legality of the processing carried out on the basis of the consent until revocation.
- e. Due to legal obligations (Art. 6 (1) (c) GDPR)  
Insofar as we are subject to legal obligations (e.g., involvement of the works council and/or representative body for disabled employees, money laundering law, tax laws, export control regulations, anti-terrorism regulations) and requirements of supervisory or investigative authorities, as well as tax law control and reporting obligations, personal data will also be processed for the purpose of complying with legal obligations and legitimate official requirements.

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### Is your data transferred to a third country or an international organization?

Data is transferred to locations in countries outside the EU or the EEA (so-called third countries) if this is necessary for the application process and employment, especially at a group company based in a third country, if you have given us your consent, or within the scope of order processing. However, the transfer will only take place if the third country has been confirmed by the EU Commission as having an adequate level of data protection, other appropriate data protection safeguards (such as standard contractual clauses) are in place, or an exception within the meaning of Art. 49 GDPR applies.

### How long will your data be stored?

We store your personal data for as long as is necessary to make a decision about your application. If the application process is completed without us hiring you, we will generally store your data for a further six months, unless longer storage is required due to legal disputes and/or unless you have given us your consent to store your data for a longer period (applicant pool).

If you send us an unsolicited application or have agreed to be included in our applicant pool, we will store your data for a period of two years so that we can consider you for future vacancies.

If you are hired, we will transfer your application documents to your personnel file. After termination of employment, we will continue to store those personal data that we are legally obliged to retain. This regularly results from legal documentation and retention obligations, which are regulated in the German Commercial Code and the German Fiscal Code, among others. The storage periods are up to ten years. In addition, personal data may be retained for the period during which claims can be asserted against us (statutory limitation period of three or up to thirty years).

### Is there an obligation to provide data?

As part of the application process and for the purpose of establishing an employment contract, you are only required to provide personal data that is necessary for the selection of applicants and the establishment of an employment contract, or that we are legally entitled to or obliged to collect. Without this data, we may refuse to conclude an employment contract.

### To what extent are automated individual decision-making or profiling measures used?

We do not use purely automated processing procedures to make decisions.

### What rights can you assert as a data subject?

You have the right to information (Art. 15 GDPR), the right to rectification (Art. 16 GDPR), the right to erasure (Art. 17 GDPR), the right to restriction of processing (Art. 18 GDPR), the right to object to processing (Art. 21 GDPR) and the right to data portability (Art. 20 GDPR). The restrictions under Sections 34 and 35 of the German Federal Data Protection Act (BDSG) apply to the right to information and the right to erasure. To assert your rights, please contact the data protection officer named above.

Insofar as the processing of personal data is based on your consent, you have the right to withdraw your consent at any time without affecting the lawfulness of the processing carried out on the basis of your consent prior to its withdrawal.

You also have the option of lodging a complaint with the above-mentioned data protection officer or a data protection supervisory authority.

#### Information about your right to object pursuant to Art. 21 GDPR

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is based on Article 6(1)(e) or (f) of the GDPR. We will no longer process the personal data upon your objection, unless we can demonstrate compelling legitimate grounds for the processing that outweigh your interests, rights, and freedoms, or the processing serves to assert, exercise, or defend legal claims. The objection can be addressed to the data protection officer named above in any form.