

Data protection statement for job applicants

This data protection statement describes how Berndorf AG, Leobersdorfer Strasse 26, 2560 Berndorf, Austria (“we” or “us”), as a data controller in the meaning of data protection law, processes your personal data in connection with your application.

1. Purposes for which we process your data

We process your personal data specified in the Annex for the following purposes:

- Organising and conducting the application process
- Processing applications we receive, and initiating and establishing an employment relationship
- Human resource planning and management
- Ensuring adequate staffing and for investment decisions
- Actively searching for prospective employees using a range of channels (recruitment) and using contracted recruitment agencies/consultants
- Retaining records and taking into account previous applicants for vacancies
- Establishing, asserting or defending against legal claims.

2. Origin of data

In the course of the application or recruitment process for a vacancy at our company, we collect your personal data either when you provide us with the data, or from a recruitment agency or consultant, or from publicly accessible sources (such as online career platforms).

When we ask you to provide us with your personal data, your provision of data is voluntary. However, it will not be possible to conduct an application or recruitment process if you do not make your personal data available to us.

In cases where provision of your data is mandatory by law, we will specifically inform you of this.

3. Legal bases of data processing

Where we do not expressly ask your consent pursuant to Article 6(1)(a) General Data Protection Regulation (GDPR), we process your personal data on the basis of:

- Necessity in order to take steps at your request prior to entering into a contract (Art. 6[1][b] GDPR), or
- Necessity for compliance with a legal obligation (in particular in social and employment legislation) to which we are subject (Art. 6[1][c] GDPR), or
- Our overriding legitimate interest, in accordance with Article 6(1)(f) GDPR, in conducting efficient application and recruitment processes, ensuring optimal recruitment to positions at our company, and achieving the purposes stated above in section 1.

If we process sensitive data, we do so in order to comply with our obligations arising from social or employment law (Art. 9 [2][b] GDPR).

We will ask for your consent to retain your personal data for the purpose of retaining records and consideration for vacancies in a separate process (Art. 6[1][a] GDPR).

4. Transfer of your personal data

When necessary for the purposes set out above in section 1, we will transfer your personal data to the following categories of recipients:

- Recruitment agencies and consultants
- Courts
- Official authorities
- Legal representatives
- IT service providers engaged by us, including Microsoft Ireland Operations Limited (Ireland)
- Group companies

Some of these recipients may be located outside your country or process your personal data there. The level of data protection in other countries may differ from that in your country. We only transfer your personal data to countries which the European Commission has decided offer an adequate level of data protection, or we take steps to ensure that all recipients provide an adequate level of data protection, for example by agreeing standard contractual clauses. These are available on request (see contact details in section 7 below).

5. Retention periods

We store your personal data (i) for the duration of the application or recruitment process, or until you withdraw your consent to retain data for our records. We will retain your data beyond that time: (ii) to comply with statutory retention obligations; (iii) for as long as the personal data is required for the establishment or assertion of, or defence against any legal claims that have not yet lapsed, or (iv) in case of your appointment following an application or recruitment process, according to the stated duration of storage in our employee data protection statement.

6. Your rights in connection with your personal data

Under applicable law, and subject to the related legal requirements, you have the following rights:

- To request information on whether we have processed your personal data and what personal data we have processed, and to receive copies of the data
- To request rectification or erasure of your personal data
- To request that we restrict the processing of your personal data
- To object to the processing of your personal data
- To withdraw consent you have granted, whereby withdrawal does not affect the lawfulness of processing carried out on the basis of your consent prior to withdrawal
- To request data portability
- To lodge a complaint with the data protection authority

7. Our contact details

If you have any questions or concerns about how we process your personal data, please contact us at:

Berndorf AG
Leobersdorfer Strasse 26
2560 Berndorf, Austria
dm@berndorf.co.at

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Annex

- Name
- Academic title
- Greeting/sex
- Date of birth
- Place of birth
- Nationality
- Telephone number, fax number and other contact details required for modern means of communication (e.g. e-mail address)
- Address
- Social insurance number
- Social insurance carrier
- Military or civilian service
- Marital status
- Children (number, age)
- Legal representative
- Religious denomination
- Position applied for
- Job designation
- Salary expectations
- Other expectations regarding working conditions
- Statutory, collective agreement, company agreement and contractually agreed bases for calculation of remuneration (pay grade)
- Type of application
- Photograph
- CV
- Application cover letter
- Prior service and professional experience
- Type of employee (clerical worker/manual worker)
- Chamber membership
- Domicile tax office
- Education certificates, professional references
- Training and development (courses attended, feedback, etc.)
- Skills and abilities including language skills
- Other qualifications (e.g. trading licence)
- Driving licence (yes/no)
- Earliest date for commencement of employment
- Notice period
- Form of termination of employment
- Secondary employment
- Degree of disability in accordance with the Disabled Persons Employment Act
- Visa/work permit
- Correspondence with you
- Interview notes
- Other data provided by you in the course of the application process