

Data protection information concerning the processing of the data of applicants, customers, potential customers, supplier, and service providers | **Version: 24 May 2018**

General information

Information concerning the processing of the data of applicants

Information concerning the processing of the data of customers and potential customers

Information concerning the processing of the data of suppliers and service providers

General information

This data protection information is designed to notify you about the processing of your personal data at PFREUNDT GmbH. Pursuant to Art. 4 No. 1 GDPR, personal data include any information relating to your person, in particular by reference to an identifier such as a name or contact data that can be used to identify your person.

Controller responsible for the processing of your personal data

Other than where derogating contractual agreements have been entered into, the controller responsible for the collection, processing, and use of your personal data is PFREUNDT GmbH | Robert-Bosch-Str. 5 | D-46354 Südlohn | +49 (0) 2862 9807 0 | info@pfreundt.de.

You can find further information about our company, details about the persons with representational authority, and further contact options in the imprint on our website: <https://www.pfreundt.de/en/sonderseiten/imprint/>.

You can also contact the Data Protection Officer of PFREUNDT GmbH using the details provided below.

- Data Protection Officer of **PFREUNDT GmbH**:
Thorsten Schröers | SAFE-PORT Consulting GmbH
Hülshoff-Straße 7 | D-59469 Ense
Email: privacy@safe-port.de

Your data protection rights

Your data protection rights are addressed in Chapter III (Articles 12 et seq.) of the European General Data Protection Regulation (GDPR). In accordance with those provisions, you have a right of access to information about your stored personal data, about the purposes of processing, about any transmissions to other entities, and about the period of storage.

In exercise of your right of access, you can also obtain excerpts or copies. If data should prove to be inaccurate, or if the purposes for which they were collected are no longer necessary, you can request rectification, erasure, or restriction of processing. Where envisioned in the processing procedure, you can also personally view and, if necessary, correct your data.

If your data are processed for the purposes of legitimate interests, you have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you. We will then end such processing, other than where it serves our overriding protected interests.

If you have questions about your rights or about exercising your rights, please contact us or our Data Protection Officer.

Where personal data are processed for the performance of a task carried out in the public interest (Article 6(1)(e) GDPR) or for the purposes of the legitimate interests (Article 6(1)(f) GDPR), you may object at any time to the processing of your personal data with prospective effect. In the event of an objection, we must discontinue all further processing of your data for the aforementioned purposes, unless

- there are compelling, legitimate grounds for processing that override your interests, rights, and freedoms, or
- processing is necessary for the establishment, exercise, or defence of legal claims.

In a given case, we may also obtain your consent to the processing or transmission of your data. In such cases, your consent is voluntary and may be withdrawn by you at any time with prospective effect, unless agreed otherwise. You will not suffer any detriments whatsoever from a refusal to provide consent or from a subsequent withdrawal of consent.

Complaints about the processing of your personal data

Should you have concerns or a question about the processing of your personal data and information, you can contact us or our Data Protection Officer. In addition, you have a right to lodge a complaint with the competent data protection authority:

- The supervisory authority competent for **PFREUNDT GmbH**:
Landesbeauftragte für Datenschutz und Informationsfreiheit
Nordrhein-Westfalen
Postfach 20 04 44 | D-40102 Düsseldorf
+49 (0) 211 384 240 | poststelle@ldi.nrw.de

Decision-making and profiling

As a rule, the processing described below does not involve the use of any automated decision-making pursuant to Article 22 GDPR. Similarly, we do not use any automated processing of your personal data to evaluate personal aspects (profiling) pursuant to Article 4 No. 4 GDPR.

Further processing for other purposes

Should your personal data be processed further for a purpose other than the one for which they were collected, then prior to such further processing, we will separately provide you with information about such other purpose and all other relevant information.

Information concerning the processing of the data of applicants

We are pleased that you are interested in PFREUNDT GmbH and are applying or have applied for a position in our company. In the following, we would like to provide you with information about the processing of your personal data in connection with your application.

Personal information and personal data

We process data that are related to your application. These may consist of general data about your person (such as name, postal address and contact details, photos, etc.), details about your professional qualifications and scholastic education, and details about your professional training, as well as other details that you transmit to use in connection with your application. In addition, we may also process career-related information that you have made publicly accessible, such as a profile on professional social media networks.

Purposes and legal bases for the collection and processing of your personal data

The legal basis is primarily section 26 of the German Federal Data Protection Act (BDSG), in the version applicable from 25 May 2018, as well as the further provisions of the GDPR set forth below.

According to section 26 BDSG, it is permissible to process data that are necessary in connection with the decision about the establishment of an employment relationship.

Data processing for the purpose of performing a contract or taking steps prior to entering into a contract (Article 6(1)(b) GDPR)

Personal data are processed by applicant management for the purpose of taking steps prior to entering into a contract concerning employment relationships. These include:

- Personal address
- Application communication, making contact in the case of appropriate positions
- Planned hiring
- Comparison of the job requirements with the perceptions/abilities of the applicant

Data processing on the basis of your consent (Article 6(1)(a) GDPR)

If we have obtained your consent to the processing of personal data for specific purposes, the processing of these data is lawful. This applies to your written consent to the inclusion of your application documents in the applicant pool for filling of later job offers.

Data processing on the basis of a balancing of interests (Article 6(1)(f) GDPR)

If, following conclusion of the application process, data are necessary for pursuing rights, data may be processed on the basis of the requirements in Article 6 GDPR, particularly for the purposes of legitimate interests under Article 6(1)(f) GDPR. Our interest consists of the defence of claims.

Transmission of your personal information

Your applicant data are stored and processed by the HR department following receipt of your application. Suitable applications are then forwarded to the department heads or, as the case may be, their authorised representatives for the respective open position. Thereafter, the further process is coordinated. As a rule, only those persons in the company have access to your data who require them in order to carry out our application process properly. Data are not transmitted outside of the European Union, nor is this planned.

Storage period

Your personal data are erased six months after the end of the application process, taking into consideration section 61(b)(1) of the German Labour Court Act (ArbGG) in conjunction with section 15 of the German General Act on Equal Treatment (AGG). In the event that you have consented to a further storage of your personal data, we will include your data in our applicant pool. You would be notified of this in a separate email. After three years, the data are erased from the applicant pool.

You will not be separately notified of the erasure of your data.

If a job offer is made to you in connection with the application process, the data will be transferred from the applicant data system to our personnel information system.

Necessity to provide personal data

The provision of personal data is not mandated by either statute or contract, nor are you obligated to provide them. However, the provision of personal data is necessary for carrying out the application process, as well as for concluding a contract concerning the employment relationship. If you do not provide the data, it will not be possible to carry out the application process or conclude a contract.

Information concerning the processing the data of customers and potential customers

Personal information and personal data

PFREUNDT GmbH collects and processes information in both paper and digital form.

These data may include:

- Master data (name, academic title, postal address, customer number, etc.)
- Business contact and communication data (phone number, email address, etc.)
- Billing data
- Emails
- Scale data (allocation by means of vehicle plate numbers)

The personal data are stored, inter alia, in the customer management system used by *PFREUNDT GmbH*.

Purpose of collection and processing

PFREUNDT GmbH collects, processes, and uses your personal data to the extent that this is necessary in order to provide contractual or pre-contractual services. They are processed further only if you have consented or if there is an overriding statutory provision.

In some cases, we make use of external service providers in order to process your data. These service providers were carefully selected by us, have been engaged in writing, and are bound by our instructions. They are regularly monitored by us. The service providers will not disclose these data to third parties but rather erase them after performance of the contract and the conclusion of statutory storage period, unless you have consented to a longer period of storage.

Legal basis for the processing of your personal data

The legal basis for the processing of your personal data is Article 6(1)(b) GDPR (for the purposes of performing the transaction or taking steps prior to the transaction)

In this respect, we collect and process data only if this is required by statute. To the extent that any additional data are not directly required for performing the business relationship, the processing is based on a legitimate interest of the company pursuant to Article 6(1)(f) GDPR.

A legitimate interest may arise, e.g., from internal organisational and administrative purposes. It is permissible here to process your personal data unless this is outweighed by the protection of your interests, fundamental rights, or fundamental freedoms.

According to the German Weights and Measures Act, there is a “notification and application obligation concerning calibration”. In the course of these obligations, the possibility exists for *PFREUNDT GmbH* to assume these obligations.

In this case, the legal basis for the processing of personal data is Article 6(1)(a) GDPR, the consent with the signature of the corresponding authorisation.

Transmission of your personal information

Your personal data are transmitted or disclosed to outside entities only to the extent that this is necessary for performing the contract concluded with you that is required by a legal rule, e.g. in connection with projects for other external project participants. Service providers that we employ, e.g. for providing IT services, may also be recipients of data about your person in connection with processing carried out on our behalf pursuant to Article 28 GDPR.

Personal data may be transmitted to the competent calibration authority in the course of your provided authorisation. In this regard, only those data are transmitted that are necessary for the “notification and application obligation” (MessEG, MessEV).

Data are not transmitted outside of the European Union, nor is this planned.

Storage period

Your personal data are stored only for as long as knowledge of the data is necessary for the purposes of the business relationship or the purposes for which they were collected or where statutory or contractual retention requirements exist.

Different statutory retention periods apply, e.g. in connection with tax requirements or possible contractual warranty rights, and they can extend to up to 10 years for documents and receipts that are relevant for tax purposes.

In addition, for the period following achievement of the purpose, the data are not erased if this is still necessary for the establishment, exercise or defence of legal claims. The regular prescription period amounts to three years for other claims (section 195 of the German Civil Code [BGB]) and to 30 years in the cases in section 197 BGB. If a potential customer should decide not to enter into a contract, the data are likewise erased after three years (from the last contact). A potential customer that is not interested in concluding a contract may request that the controller immediately erase its data, unless the grounds described above in this section apply.

Necessity to provide personal data

Please be aware that if you do not provide personal data or if you withdraw your consent, the fulfilment of (contractual) obligation will be made difficult or, under certain circumstances, even impossible.

Information concerning the processing of the data of suppliers and service providers

Personal information and personal data

The type of personal data that are processed may include, inter alia, the following data or data categories:

- Data about the person (name, nationality, professions/industry, etc.)
- Contact data (postal address, email address, phone number, etc.)
- Payment/coverage confirmation in the case of bank and credit cards
- Financial data (banking details, etc.)
- Supplier history

Purposes and legal bases for the collection and processing of your personal data

We process your personal data in conformity with the provisions of the European General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG), in the version applicable from 25 May 2018, and other relevant data protection provisions.

Data processing for the purpose of performing a contract or taking steps prior to entering into a contract (Article 6(1)(b) GDPR)

We process your personal data in order to perform our contracts with you, particularly as part of order processing and making use of services. In addition, your personal data are processed in order to take steps and actions prior to entering into a contract.

Data processing on the basis of a balancing of interests (Article 6(1)(f) GDPR)

Where necessary, we process your data for the purposes of our legitimate interests or those of third parties. The following areas are considered to be legitimate interests:

- for the establishment of legal claims and defence in the case of legal disputes.

Data processing on the basis of your consent (Article 6(1)(a) GDPR)

If you have provided us consent to the processing of personal data for specific purposes, the lawfulness of this processing is based on your consent. Provided consent may be withdrawn at any time. Please be aware that the withdrawal has prospective effect only. Processing that occurred prior to withdrawal is not affected by it.

Transmission of your personal information

We disclose your personal data within our company to areas that require these data for the purpose of fulfilling contractual and statutory obligations or for implementing our legitimate interest. Data are not transmitted outside of the European Union, nor is this planned.

Storage period

Where necessary, we process your personal data for the duration of our business relationship, which also covers pre-contractual steps and the performance of a contract.

In addition, we are subject to various retention and documentation obligation, inter alia, under the German Commercial Code (HGB), the German Fiscal Code (AO), and the German Income Tax Act (EStG), in each case including the detailed legal provisions issued in relation to them. The retention and documentation periods specified there amount to up to 10 years after the end of the business relationship or the pre-contractual legal relationship. Ultimately, the storage period also depends on statutory prescription period, which may amount, e.g. under sections 195 et seq. of the German Civil Code (BGB) normally to three years but in certain cases to up to 30 years.

Provision of data

Please be aware that if you do not provide personal data or if you withdraw your consent, the fulfilment of (contractual) obligation will be made difficult or, under certain circumstances, even impossible.