

## DATA PROTECTION INFORMATION FOR JOB APPLICANTS

Privacy information about our processing of candidate data under Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)

Dear applicant,

Thank you for your interest in our company. In accordance with the provisions of Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR), we inform you hereby about the processing of your personal data submitted during the application process and, if applicable, your personal rights in this relation.

Of course, we will handle your application in strict confidence according to the current privacy policy. To ensure that you are fully informed about the processing of personal data in the application process, please take note of the information below.

### 1. DATA PROCESSOR ACCORDING TO GDPR

#### REC Solar EMEA GmbH

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[recsolar.emea@recgroup.com](mailto:recsolar.emea@recgroup.com)

[www.recgroup.com](http://www.recgroup.com)

### 2. CONTACT DATA OF OUR DATA PROTECTION OFFICER

Mr. Dominik Fünkner

[datenschutzbeauftragter@datenschutzexperte.de](mailto:datenschutzbeauftragter@datenschutzexperte.de)

### 3. PURPOSE AND LEGAL BASIS FOR DATA PROCESSING

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 purpose of your application for employment, as far as this is necessary for the decision to establish an employment with us. Legal basis is Art. 88 GDPR i. V. m. § 26 BDSG (new) and, if applicable, Art. 6 para. 1 lit. b GDPR for the initiation or execution of contractual relationships. In particular, we use the data we have received (telephone number, email address, address, LinkedIn/Xing-addresses if necessary to contact you with questions or to invite you to job interviews.

Furthermore, we may process personal data about you, as far as this is necessary for the fulfilment of legal obligations (Article 6 paragraph 1 letter c GDPR) or to defend us against asserted legal claims. The legal basis is Art. 6 para. 1 lit. f GDPR, the legitimate interest is, for example, a burden of proof in proceedings under the General Equal Treatment Act (AGG). Insofar as you give us an express consent to the processing of personal data for specific purposes, the legality of this processing is based on your consent in accordance with Art. 6 para. 1 lit. a GDPR given. A granted consent can be revoked at any time (see section 9 of this privacy policy). Please note that the revocation only works for the future. Processing that occurred before the revocation is not affected.

If there is an employment relationship between you and us, in accordance with Art. 88 GDPR, § 26 BDSG (new) we are entitled to process the personal data already obtained by you for the purposes of the

employment relationship, as far as this for the execution or termination of the employment relationship or for the exercise or fulfilment of a law or collective agreement, an operating or service agreement (collective agreement) rights and obligations of representing the interests of employees.

#### 4. CATEGORIES OF PERSONAL DATA

We process data related to your application. This may include general personal information (such as name, address and contact details), details of your professional qualifications and education, or other information that you provide to us in connection to your application.

#### 5. SOURCES OF PERSONAL DATA

We process personal data that we receive from you in the context of contacting us or your application by post or e-mail, or that are transmitted to us by head hunters or recruiting or temporary employment agencies as well as internal notes created by us, for example notes written down during a job interview.

#### 6. RECIPIENT OF PERSONAL DATA

We pass on your personal data within our company as well as within the REC Group exclusively to the areas that need this data in order to fulfill the contractual and legal obligations or to implement our legitimate interests.

We may transfer your personal information to companies affiliated with us, to the extent permitted by the purposes and legal basis set forth in Section 3 of the Privacy Policy, in particular if, for example: the future supervisor or future team member is employed or engaged in such companies and incorporated into the Application and decision-making process are involved.

Your personal data will be processed on our behalf on the basis of order processing contracts according to Art. 28 GDPR. In these cases, we ensure that the processing of personal data takes place in accordance with the General Data Protection Regulation. The categories of recipients in this case are host providers and candidate management systems and software providers.

We may transfer your personal information also to external recruiters or head hunter or companies, who support us with the recruiting process (e.g. pre-qualification, conducting interviews, etc) to the extent we have a binding contract which them and they have the identical obligations to data privacy. Data transfer to recipients outside the company is otherwise only to the extent permitted or required by law, disclosure is required to fulfil legal obligations or you have consented, for example because you transfer the data to a recruiting company, a head hunter, a temporary employment agency or similar and the contact to you has been initiated via this respective third party.

#### 7. TRANSMISSION TO A THIRD COUNTRY

We are a global player within the REC Group, which has its operational headquarters in Singapore. The REC Group is also a matrix organization so that supervisors, teams and employees can be organized into global teams, also in terms of the position they are applying for. This means that your personal data may be shared with other REC-affiliated companies outside the European Economic Area ("EEA"), especially Singapore and the United States of America, which do not provide a level of protection equivalent to the level within the European Union equivalent.

If you do not agree, please let us know as part of the application process. We will then not share your information with these affiliates, but we may not be able to accommodate you for that position, especially if supervisors or involved team members work outside the EEA.

With regard to internal transfers within the REC Group, we have entered into an intragroup agreement with the standard contractual clauses to ensure that your data receives an adequate level of protection.

## 8. RETENTION PERIOD FOR STORAGE OF PERSONAL DATA

We store your personal information until the decision on your application. Your personal data or application documents will be deleted up to a maximum of 5 months after the end of the application process (eg the announcement of the rejection decision), unless a longer storage period is legally required or permissible. In addition, we store your personal data only insofar as this is required by law or in the specific case for the assertion, exercise or defence of legal claims for the duration of a legal dispute.

In the event that you have agreed to a longer storage of your personal data, we store your personal data in accordance with your consent.

If, after the application process, an employment relationship, apprenticeship or internship relationship occurs, the data will continue to be stored as required and permissible and then transferred to the personnel file.

If necessary, you will receive an invitation to join a talent pool following an application process. This allows us to consider you for future suitable vacancies in our candidate selection. In the case of your consent, we will save your application data in accordance with your consent or future consent in our talent pool, but at the latest until the end of the following year of consent or until you revoke the consent. A revocation is possible at any time; please send an email to us, e.g. to [Datenschutz@recgroup.com](mailto:Datenschutz@recgroup.com). At the latest after expiry of the storage period, we will delete your data and destroy documents sent by post unless they are returned to you at your request. Any printouts will be disposed of safely (right).

## 9. YOUR RIGHTS

Every affected person has the right to information according to article 15, GDPR, the right to correction, according to article 16 GDPR, the right to cancellation under Art. 17 GDPR, the right to restriction of processing under Art. 18 GDPR, the right to communication according to Art. 19 GDPR as well as the right of data transferability from Art. 20 GDPR.

In addition, if you believe that the processing of your personal data is unlawful, you have a right of appeal to a data protection supervisory authority under Art. 77 GDPR. The right of appeal is without prejudice to any other administrative or judicial remedy.

Insofar as the processing of data is based on your consent, you are entitled according to Art. 7 GDPR to revoke your consent to the use of your personal data at any time with effect for the future. Please note that we may need to retain certain data for compliance with legal requirements for a certain period of time (Section 8 of this privacy policy).

### **Right of objection**

**Insofar as the processing of personal data relating to you pursuant to Art. 6 para. 1 lit. f GDPR for the protection of legitimate interests, have acc. Art. 21 GDPR you have the right to object to the processing of these data at any time for reasons arising from your particular situation. We will then no longer process that personal information unless we can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing is for the purposes of asserting, exercising or defending legal claims.**

To safeguard your rights, you can always contact us using the details above.

## 10. REQUIREMENT OF PROVISION OF PERSONAL DATA

The provision of personal data in the context of application processes is neither legally nor contractually prescribed. You are not required to provide the personal information. However, the provision of personal data is required for the decision to apply or contract with us. However, in the context of your application, you should only provide personal data that is required for the admission and execution of the application. Unless you provide us with personal information when applying, we are not able to make a decision on the creation of an employment relationship.

## 11. AUTOMATED DECISION-MAKING

The decision on your application is not based solely on automated processing. There is thus no automated decision on a case-by-case basis within the meaning of Art. 22 GDPR.

REC Solar EMEA GmbH, September 2020