

## *Data Protection Information for Applicants*

Information on data protection related to the processing of applicant data in accordance with Articles 12, 13 and 14 of the EU GDPR at F+S Fleckner und Simon Informationstechnik GmbH.

During the application process, personal data is inevitably exchanged and must therefore be processed in accordance with the European Data Protection Regulation (EU GDPR).

We hereby comply with the requirements of Articles 12, 13 and 14 of the EU GDPR and inform you transparently about the processing of the personal data provided by you as part of the application process and, if applicable, collected by us and your corresponding rights.

### **1 Responsible party in terms of data protection rights**

F+S Fleckner und Simon Informationstechnik GmbH  
Am Renngraben 7  
65549 Limburg  
Germany

Tel: +49 6431 40901-0  
Fax: +49 6431 40901-30

Email: [info@flecsim.de](mailto:info@flecsim.de)

### **2 Contact details of our data protection officer**

Will be announced soon.

The (possibly updated) contact details of the data protection officer can also be viewed at any time on our homepage under the "Data Protection" section.

### **3 Categories and types of personal data**

During the application process, we only process data that is related to your application.

In this context, address data, contact data, date of birth, data about your specific career, information about your professional qualifications, information about your school education as well as your professional training and, if applicable, other data may be collected. If applicable, this data may include special categories of personal data (colloquially: sensitive data), such as your disability status or religious affiliation. We process this data on the basis of the documents you send us, in particular cover letters, CVs and references.

### **4 Purpose and legal basis for processing**

Your personal data is processed for the purpose of processing your application to fill vacancies within F+S Fleckner und Simon Informationstechnik GmbH.

We process your personal data exclusively for the purpose of carrying out the application process. If you have consented to the inclusion of your data in the applicant pool, we may also process your personal data in further application procedures.

Should we conclude an employment contract with you, your personal data (name, address, telephone number, references, etc.) may also be processed for the purpose of implementing the employment relationship in compliance with the statutory provisions. In this case, we will inform you again about the processing of your personal data within the scope of the employment relationship.

The legal basis for the processing of your data is Article 6 para. 1 lit. b of the EU GDPR in conjunction with Section 26 para. 1 of the BDSG [German Federal Data Protection Act].

The processing of your data may also be necessary to protect our legitimate interests as F+S Fleckner und Simon Informationstechnik GmbH, unless your interests or fundamental rights and freedoms outweigh this (Article 6 para. 1. lit. f EU GDPR). Our legitimate interests in this regard include optimizing the filling of positions and projects, asserting, exercising or defending legal claims, and avoiding damage to or liability of F+S Fleckner und Simon Informationstechnik GmbH.

In addition, the processing of your personal data may also be justified if you have given your consent to the processing of this data for one or more specific purpose(s), such as with regard to your application being considered for future job vacancies (Article 6 para.1. lit. a EU GDPR in conjunction with Section 26 para. 2 BDSG [German Federal Data Protection Act]). It may be that, in addition to the consent you have given, we are also entitled or obliged to process data on the basis of one of the statutory provisions mentioned above.

If you have claimed travel expenses, we will also use your data for the purpose of checking and reimbursing travel expenses (including, among others, Section 147 (1) No. 3, (3) AO [German Fiscal Code], Section 257 (1) No. 4, (4) HGB [German Commercial Code]).

## **5 Data sources**

We process the personal data received from your application by mail or e-mail, or that you send to us via the web portal on our website.

## **6 Recipient of the data**

Internally, the employees in the HR department responsible for carrying out the application process, as well as colleagues from the respective relevant departments, will have access to your data insofar as this is necessary in order to make a decision regarding the establishment of an employment relationship.

Your data will be processed on our behalf by way of order processing in accordance with Art. 28 EU GDPR. In doing so, we ensure that the processing is carried out in accordance with

the EU GDPR. The recipients of your personal data in this context are providers of Internet services commissioned by us and providers of applicant management systems and software.

Recipients outside F+S Fleckner und Simon Informationstechnik GmbH will only receive your personal data if this is permitted or required by law, if the transfer is necessary to fulfill legal obligations, or if we have your consent.

## **7 Transfer to a third country**

Third countries are countries outside the European Union or the European Economic Area. The transfer of your data to a third country is not planned.

## **8 Duration of data storage**

As part of the application process, we store your personal data for as long as is necessary to make a decision about your application. Your personal data or application documents will be deleted no later than six months after the end of the application process, unless an employment contract is concluded or, in a specific case, a longer storage period is legally required or permitted for the assertion, exercise or defense of legal claims or for the duration of a legal dispute. If we have your consent to do so, we may store your data in our vacancy pool for a correspondingly longer period.

If you have claimed receipts (e.g. travel expenses), data storage may take longer in individual cases. This duration shall then be based on the respective applicable statutory retention periods, such as, Section 147 (1) No. 3 in conjunction with (3) of the AO [German Fiscal Code], Section 257 (1) No. 4 in conjunction with (4) of the HGB [German Commercial Code] (ten years).

## **9 Necessity of the provision of personal data**

The provision of personal data is necessary for the initiation and, if applicable, the conclusion of an employment contract or another contract with you or third parties in the context of your application for the above-mentioned purposes of data processing. However, you are not required to provide any information about your personal data. However, insofar as you do not provide us with any personal data, we cannot make a decision to establish an employment relationship.

## **10 Automated decision-making**

Automated decision-making in the sense of Art. 22 of the EU GDPR does not take place.

## **11 Your rights**

You are entitled to the following data subject rights under the EU GDPR, which you can exercise if we process your data:

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- ⊕ the right to access (Art. 15 EU GDPR)
- ⊕ the right to rectification (Art. 16 EU GDPR)
- ⊕ the right to erasure (Art. 17 EU GDPR)
- ⊕ the right to restriction of processing (Art. 18 EU GDPR)
- ⊕ the right to data portability (Art. 20 EU GDPR)
- ⊕ the right to object to the processing (Art. 21 EU GDPR)

In addition, you also have the right to complain to a supervisory authority. The supervisory authority responsible for us is:

Der Hessische Beauftragte für Datenschutz und Informationsfreiheit [Hessian Commissioner for Data Protection and Freedom of Information]

PO Box 3163  
65021 Wiesbaden

Tel: +49 611 1408 – 0  
Fax: +49 611 1408 – 900 / 901

Email: [poststelle@datenschutz.hessen.de](mailto:poststelle@datenschutz.hessen.de)

Insofar as the processing is based on your consent (Art. 6 para. 1 lit. a. EU GDPR), you have the right to revoke your consent at any time without affecting the lawfulness of processing based on consent before its withdrawal.

#### **Right to object (Art. 21 EU GDPR)**

If your personal data is processed on the basis of our legitimate interests (Art. 6 para. 1 lit. f. EU GDPR), you have the right to object to the processing of your personal data at any time for reasons arising from your particular situation in accordance with Art. 21 EU GDPR. If we cannot demonstrate compelling legitimate grounds for processing your personal data that override your rights, freedoms and interests, we will no longer process your personal data.

To protect your rights, you are welcome to contact us (see contact details for the responsible party)