

Applicant Tracking Policy

Data Protection Information for Applicants October 2021

Information on data protection regarding our processing of applicant data in accordance with Art. 13, 14 and 21 of the Basic Data Protection Regulation (GDPR)

DYWIDAG Luxembourg Sarl
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<https://dywidag.com/>

DYWIDAG Luxembourg Sarl also acts on behalf of DYWIDAG Group.

Dear applicant,

Thank you for your interest in our company. In accordance with the provisions of Art. 13, 14 and 21 of the General Data Protection Regulation (GDPR), we hereby inform you of the processing of the personal data you have submitted as part of the application process and of any personal data we may have collected and your rights in this regard. In order to ensure that you are fully informed about the processing of your personal data during the application process, please take note of the following information. Our DYWIDAG privacy policy can be found through this link <https://dywidag.com/privacy>.

1. Controller in Accordance with the Data Protection Law

Data Controller

DYWIDAG Luxembourg Sarl
2 Rue Edward Steichen
2540 Luxembourg
Tel: +352 26 753 0
Fax: +352 26 753 100

Chief Compliance Officer: [Tobias Entzian - compliance@dywidag.com](mailto:Tobias.Entzian@dywidag.com)

2. Contact Data

DYWIDAG Luxembourg Sarl
2 Rue Edward Steichen
2540 Luxembourg
Tel: +352 26 753 0
Fax: +352 26 753 100

Chief Compliance Officer: [Tobias Entzian - compliance@dywidag.com](mailto:Tobias.Entzian@dywidag.com)

Group Information Security Officer: [Dawid Sulejewski – informationsecurity@dywidag.com](mailto:Dawid.Sulejewski@dywidag.com)

3. Purpose and legal basis of the Processing

We process your personal data in accordance with the provisions of the European General Data Protection Regulation (EU-GDPR) and the Federal Data Protection Act (Subsequently referred to as BDSG 2018), insofar as this is necessary for the decision on the establishment of an employment relationship with us. The legal basis is Art. 88 GDPR in conjunction with § 26 BDSG 2018 and, if applicable, Art. 6 Para. 1 lit. b GDPR for the initiation or execution of contractual relationships. Furthermore, we may process your personal data insofar as this is necessary to fulfil legal obligations (Art. 6 para. 1 lit. c GDPR) or to defend asserted legal claims against us. 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.

Once you give us express consent to process personal data for specific purposes, the lawfulness of this processing depends on your consent pursuant to Art. 6 para. 1 lit. a GDPR. Any consent given may be withdrawn at any time with effect for the future (see section 9 of this data protection information). If there is an employment relationship between you and us, we may, pursuant to Art. 88 GDPR in conjunction with § 26 BDSG 2018, further process the personal data we have already received from you for the purposes of the employment relationship, insofar as this is necessary for the performance or termination of the employment relationship or for the exercise or fulfilment of the rights and obligations of the representation of the interests of the employees resulting from a law or a collective agreement, a works agreement or a service agreement (collective agreement).

4. Categories of personal Data

We only process data that is related to your application. This may include general information about you (name, address, contact details, etc.), information about your professional qualifications and schooling, information about continuing vocational education and training and any other data that you provide to us in connection with your application.

5. Sources of Data

We process personal data which we receive from you by post or e-mail or which you transmit to us via the application form in the career section of our homepage in the course of contacting you or submitting your application.

6. Recipient of the Data

We pass on your personal data within our company exclusively to those areas and persons who need this data to fulfil their contractual and legal obligations or to implement our legitimate interest.

We may transfer your personal data to companies affiliated with us to the extent permitted by the purposes and legal bases set out in Section 3 of this Data Protection Information Sheet. As a contract processor, DYWIDAG Luxembourg Sarl also acts on behalf of DYWIDAG Group.

Your personal data will be processed on our behalf on the basis of order processing contracts in accordance with Art. 28 GDPR. In these cases, we ensure that the processing of personal data is carried out in accordance with the provisions of the GDPR. As an Internet service provider, we use LinkedIn. Our application management system is BambooHR.

Data will otherwise only be passed on to recipients outside the company if this is permitted or required by law, if this is necessary to fulfil legal obligations or if we have your consent.

7. Transfer to a third country

DYWIDAG Luxembourg Sarl is a globally active company. If it is necessary to process your request, your data will be passed on to the national company in your home country. We also involve contracted service providers who prefer to process your data within the EU.

Your Data Controller is DYWIDAG Luxembourg Sarl, but depending on Job Opportunity location, your data may further be processed by local DYWIDAG GROUP entity, depending on where your application is being submitted.

Should data be processed in countries outside the EU, DSI International Luxembourg S.à r.l. will ensure via EU standard contracts including suitable technical and organizational measures that your personal data is processed in accordance with the European data protection level.

For some countries outside the EU, such as Canada and Switzerland, the EU has already established a comparable level of data protection. Due to the comparable level of data protection, the transfer of data to these countries does not require any special approval or agreement.

8. Duration of Data Storage

We store your personal data as long as this is necessary for the decision on your application. Your personal data or application documents will be deleted a maximum of six month after completion of the application procedure (e.g. notification of the rejection decision), unless longer storage is legally

necessary or permissible. In addition, we only store your personal data to the extent required by law or in a specific case to assert, exercise or defend legal claims for the duration of a legal dispute.

In the event that you have agreed to your personal data being stored for a longer period of time, we will store it in accordance with your declaration of consent.

If the application procedure is followed by an employment relationship, an apprenticeship relationship or an internship relationship, your data will, as far as necessary and permissible, initially continue to be stored and then transferred to the personal file.

If necessary, you will receive an invitation to join our talent pool following the application process. This allows us to consider you also in the future with suitable vacancies with our applicant selection. If we have received your corresponding consent, we will store your application data in our talent pool in accordance with your consent or future consent, as the case may be.

9. Your Rights

Every data subject has the right of access pursuant to Art. 15 GDPR, the right to rectification pursuant to Art. 16 GDPR, the right to erasure pursuant to Art. 17 GDPR, the right to restriction of processing pursuant to Art. 18 GDPR, the right to notification pursuant to Art. 19 GDPR and the right to data portability pursuant to Art. 20 GDPR.

In addition, you have the right to lodge a complaint with a data protection supervisory authority pursuant to Art. 77 GDPR if you are of the opinion that the processing of your personal data is not lawful. The right to lodge a complaint shall be without prejudice to any other administrative or judicial remedy.

If the processing of data takes place on the basis of your consent, you are entitled to withdraw your consent to the use of your personal data at any time in accordance with Art. 7 GDPR. Please note that the withdrawal will only take effect in the future. Processing that took place before the revocation is not affected by this. Please also note that we may need to retain certain data for a period of time to comply with legal requirements (see Section 8 of this Privacy Policy).

Right to object

If your personal data is processed in accordance with Art. 6 para. 1 lit. f GDPR in order to safeguard legitimate interests, you have the right, pursuant to Art. 21 GDPR, to object to the processing of this data at any time for reasons arising from your particular situation. We will then no longer process this personal data unless we can prove compelling reasons for the processing. These must outweigh your interests, rights and freedoms, or the processing must serve the assertion, exercise or defense of legal claims. Please feel free to contact us using the contact details given in section 1 to protect your rights.

10. Necessity of providing personal Data

The provision of your personal data within the scope of application processes is voluntary. However, we can only decide or establish an employment relationship with you if you provide necessary personal information to complete the application.

11. Automated Decision Making

The decision on your application is not based exclusively on automated processing. Therefore, no automated decision is made in individual cases within the meaning of Art. 22 GDPR.