

# Information sheet on the processing of personal data in the job application procedure

## at companies in the Eberspächer Group in Germany

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With this information sheet, we would like to inform you as an applicant about the collection, processing and storage of your personal data in the job application procedure at companies in the Eberspächer Group in Germany.

Among other objectives, the **European General Data Protection Regulation** (hereinafter abbreviated to **GDPR**) and the **German Federal Data Protection Act** (hereinafter abbreviated to **FDPA**) aim to ensure that any person affected by data processing (which includes you as an applicant) is aware of the extent to which their personal data is processed.

**Personal data** is data of such a kind which relates to your person or allows an inference to be made to your person (for example your name, date of birth or your cell phone number). We shall refer to “data” for short hereinafter. This shall always mean personal data. The “processing of data” hereinafter means any collection, storage or other use of data.

Each of the following statements refers to the company or companies in the Eberspächer Group in Germany where you are applying for one or several concrete jobs, or that may consider your job application because you have consented to this. You can view a listing of the companies in the Eberspächer Group in Germany at the following link: <https://www.eberspaecher.com/worldwide.html> . Because your personal data will be processed in the same way in the job application procedure at these companies in the Eberspächer Group, in the following we would like to fulfill the transparency requirements for the GDPR and the FDPA in connection with your job application procedure bundled together.

### 1. Name and contact details of the controller

The party responsible for the processing of your data is:

The company in the Eberspächer Group or the companies in the Eberspächer Group at which you are applying for a concrete position or several concrete positions. If you consent to the consideration of your job application by companies in the Eberspächer Group for other jobs, the relevant companies in the Eberspächer Group will each be responsible for the processing of your data. You can view a listing of the companies in the Eberspächer Group in Germany at the following link: <https://www.eberspaecher.com/worldwide.html> .

### 2. Contact details of the data protection officer

The contact details of the data protection officer at all companies in the Eberspächer Group are as follows:

Eberspächer Gruppe GmbH & Co. KG  
For the attention of the data protection officer  
Eberspächerstraße 24  
73730 Esslingen

E-mail: [datenschutz\[at\]eberspaecher.com](mailto:datenschutz[at]eberspaecher.com)

We expressly point out that when using this e-mail address, the contents are not exclusively acknowledged by our data protection officer. Therefore, if you wish to exchange confidential information, you should first ask to contact the Data Protection Officer directly via this e-mail address.

### 3. Data that we process

In the context of the job application procedure at our company we collect data about you that you send to us. We would like to provide you below with an overview of what data we process for what purpose and on what legal basis and for what period of time we store this data.

#### Data resulting from receipt of your job application documents, job interviews and assessment procedures

With reference to your job application, in our company we process your data that we receive by means of your job application documents via the job application portal, via e-mail, via regular mail and as a result of job interviews and assessment procedures. Additionally, as part of a job application we receive data that you provide when filling out the respective form in the applicant portal. The data will usually involve the following data:

#### Data that we process

In particular, first and last name, date of birth, address, telephone number, cell phone number, private e-mail address, data about your qualifications, professional experience and education, certifications, if applicable, hobbies and leisure activities, if applicable, photograph, if applicable, internal written records from job interviews with you.

In addition to the above-mentioned data, we collect and process data about you for DHBW students, technical trainees and certain functions as part of online assessments (job profile, first name, surname, e-mail address, language, answers in the context of the online assessment).

**Purpose of the processing:** All of the above-mentioned data is used exclusively to review and evaluate your job application and to make personal contact with you in this connection. The information you provide as part of an online assessment is intended to provide additional information on job-related character traits and motivators. If you are shortlisted, the following personal job applicant data will be used for data matching with EU sanction lists: First name, last name, maiden name. In case of name matches, the date of birth and the home address will be compared by authorized employees from our company's Human Resources department. This data comparison is carried out in order to avoid possible criminal liability of the employees, executives and managing directors of the respective companies of the Eberspächer Group in accordance with Sect. 17 et seqq. of the German Foreign Trade and Payments Act, which prohibits the allocation of funds and economic resources to persons, companies and organizations included in sanctions lists.

If you have consented to your job application and your related data to be allowed to be considered for other positions in companies in the Eberspächer Group, the relevant companies in the Eberspächer Group will process your data to review if they can offer you a position and hire you as an employee.

If you accept an offer to be hired as an employee in a company in the Eberspächer Group, we will save your data below to establish an employment relationship with you. In this case, you will receive additional information about the processing of your data in the employment relationship at the relevant company in the Eberspächer Group as soon as you begin the employment relationship.

**Legal basis for the processing:** Your data is processed in relation to the specific position for which you have applied to us and with regard to job interviews and online assessments on the legal basis of Art. 6 para. 1 sentence 1 lit. b GDPR.

If the data involves what is known as special categories of personal data, such as data relating to your health that you communicate to us yourself (for example information about a severe disability), the processing is done on the legal basis of Art. 6 Para. 1 Sentence 1 b), Art. 9, Art. 88 GDPR, Section 26 Para. 3 Sentence 1 FDPA.

Data matching with EU sanctions lists is carried out on the basis of Art. 6 Para. 1 Sentence 1 c) GDPR in conjunction with Sect. 17 et seqq. of the German Foreign Trade and Payments Act.

If you have consented to your job application and your related data to be allowed to be considered for other positions in companies in the Eberspächer Group, the processing is based on the consent you have granted and therefore on the legal basis of Art. 6 Para. 1 Sentence 1 a).

The provision of your data is required for the possible conclusion of an employment contract. You are not legally or contractually obliged to provide us with your data. However, since we require personal information from you for our application process, the possible consequence of failing to provide this information is that we are unable to give you sufficient consideration as an applicant.

**Storage of the data:** In principle, we will store your data after receipt of your application and for as long as it is required for the employment relationship. Should we hire you as an employee, we will store your application data for a maximum period [up to three years] after termination of relevant employment relationship.

In case you have applied for a certain job but have received a rejection or you have withdrawn your job application, your data will be deleted at the latest 6 months after this time, unless longer storage of the data is required for legal reasons or to comply with statutory requirements or you consented to the storage of your data for a longer period of time. This also applies if you have deleted your profile in our applicant portal. You will not receive a separate notification about the deletion of your data.

If you have consented to your job application and your relevant data to also be allowed to be considered for other jobs at the job application location as well as at other locations in the Eberspächer corporate group, your data will be deleted after 12 months at the latest. In this case, the data in the applicant portal will be deleted 12 months after your last login. You will not receive a separate notification about the deletion of your data.

#### 4. Recipients of your personal data

In certain cases, we have to pass on some of your data that we process as part of the job application procedure to authorities and people outside of our company. Arranged by categories, we pass on data to the following groups of recipients:

- Companies affiliated in our group, if you have consented to your job application and the relevant data to be allowed to be considered
- Service providers that process personal data (known as contract processors)
- Attorneys that work for the companies in the Eberspächer Group
- Recruiters/personnel consultants who work for companies in the Eberspächer Group if we have received your job application through them

**For explanation:** If we are legally obliged to pass on your data or your data is required for the work of the attorneys, personnel consultants and recruiters that work for us, we will pass on your data to them to the necessary extent.

In some cases, service providers that work on our behalf process data for us. If this is the case, we conclude with the service provider what is known as a data processing contract through which we compel the service provider to carry out the processing of the data carefully and in line with our instructions. This ensures that the service providers process the data in accordance with our specifications and on our behalf, which is why they are referred to as contract processors.

The service providers or recipients of your personal data may in some cases be located in so-called third countries, i.e., countries whose level of data protection does not correspond to that of the European Union. Where this is the case and the European Commission has not issued an adequacy decision (Art. 45 GDPR) for these countries, we have taken appropriate measures to ensure an adequate level of data protection for any data transfers. These include, among others, the Standard Contractual Clauses (“SCC”) of the European Union or Binding Corporate Rules (“BCR”). Where this is not possible, we base the data transfer on exceptions of Art. 49 GDPR, in particular your consent or the necessity of the transfer for the performance of the contract.

EU standard contractual clauses: [https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc/standard-contractual-clauses-international-transfers\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc/standard-contractual-clauses-international-transfers_en)

Otherwise, only the employees of the Eberspächer group who must review your personal data in the context of the job application procedure will have access to your personal data, i.e. in particular the human resources department of the relevant Eberspächer company and the decision makers in the specialist department as well as the works council (if existing in the relevant company).

If you apply for a position at a company in the Eberspächer Group in Germany or consent to your job application being considered for other jobs in the Eberspächer Group at locations in Germany, your data will not be transferred to third countries.

## **5. Your rights with regard to data processing at companies in the Eberspächer Group**

With regard to data processing at companies in the Eberspächer Group, you are entitled to the following rights in accordance with the legal provisions of Art. 15 to 22 GDPR:

You have the right at to obtain free information (Art. 15 GDPR) about the processing of your personal data by us at any time. You may submit this request again within a reasonable period of time. Furthermore, you have the right to receive a copy of your data that is the subject to the processing.

If the data is incorrect or no longer up to date, you have the right to request rectification (Art. 16 GDPR) without delay. In addition, you then have the right to request the completion of incomplete data about you, taking into account the purposes of the processing.

You may request the deletion (Art. 17 GDPR) of your personal data unless the processing is required under Art. 17 (3) GDPR.

You are entitled to request the restriction (Art. 18 GDPR) of processing from us.

Furthermore, you have the right to data portability (Art. 20 GDPR) and the right not to be subject to a decision based solely on automated processing (Art. 22 GDPR).

If your data is processed by us on the basis of Art. 6 (1)(e) or (f) GDPR, you have the right to object to this processing under the conditions of Art. 21 GDPR.

Furthermore, you have a right of appeal at the responsible supervisory authority. You can assert this, for example, at a supervisory authority at your place of residence, your place of work or the place of the alleged infringement.

We take your rights as an affected person seriously. Therefore, please do not hesitate to contact us about this at the e-mail address [datenschutz\[at\]eberspaecher.com](mailto:datenschutz[at]eberspaecher.com). Alternatively, of course you can also assert your rights in other ways, particularly via post.

## **6. Right of withdrawal if you have consented to the processing of certain data**

If you consent or have consented to the processing of your data, we process the data for the purpose and to the extent to which you consented. We notify you about the nature and extent of the data processing when you give your consent.

In the event that you give consent, you have a right of withdrawal in respect of this consent. If you withdraw your consent, your data will no longer be processed on the basis of the consent. The admissibility of the data processing carried out on the basis of your consent up to the withdrawal remains unaffected by the withdrawal.