

Softing AG Privacy Policy for Applications

Many thanks for your application and interest in our company. The protection of your personal data – specific information about your personal and material circumstances – is very important to the Softing Group.

This Privacy Policy explains how we process your personal data during an application and hold additional relevant information in this regard.

1. Controller responsible for processing your personal data

Softing AG, Richard-Reitzner-Allee 6, 85540 Haar (hereinafter referred to as “we”) is the controller as defined by the EU General Data Protection Regulation (“GDPR”).

2. Data Protection Officer

Our data protection officer, Mr Robert Jeffares, is available to answer any questions you may have about the processing of your personal data and exercising your rights in accordance with the GDPR and can be reached at “jeffares@data-business-services.com”.

3. Purpose and legal basis for processing personal data

We process personal data relating to you for the purpose of your application for employment where this is required in order to decide upon establishing an employment relationship with us. The legal basis for this is Section 26 (1) in conjunction with Section 8 sentence 2 of the German Federal Data Protection Act (BDSG).

We can also process personal data relating to you where this is required for the defense of legal claims made against us as a result of the application process. The legal basis for this is Article 6 (1) Letter f GDPR; legitimate interest, for example, must be demonstrated in legal proceedings in accordance with the German General Equal Treatment Act (AGG).

Where the application process results in an employment relationship between you and us, we can further process the personal data we have already received from you for the purposes of the employment relationship in accordance with Section 26 (1) BDSG where

this is required for the performance or termination of the employment relationship or to exercise or fulfill the rights and obligations to represent the interests of employees arising from legislation, a wage agreement, works agreement or service agreement (collective agreement).

4. Processed categories of personal data

We process data associated with your application. This can include general information about your person (such as name, address and contact details), information about your professional qualifications, education and vocational training or other information that you transmit to us in connection with your application. We can also process work-related information that you make publicly accessible, such as a profile on professional social media networks.

5. Sources of personal data that we do not collect directly from you

If we do not collect data directly from you and you have an active profile with one of our recruitment partners, e.g. StepStone, monster, XING, linkedin, experteer, freelancermap und absolventa or disclose an inactive or only partially active profile to us as part of the application process, we may also collect personal data via these channels.

6. Categories of data recipients

Your data is transmitted to Softing Services GmbH, which is responsible for carrying out applicant management centrally within the Softing Group. Your personal data may also be transmitted to other affiliated companies within the Softing Group (<https://company.softing.com/de/geschaeftsbereiche.html>) where this is permitted as part of the purpose and legal basis set out in Section 3. Otherwise, personal data is processed on our behalf, particularly by the hosting provider or provider of applicant management systems, based on agreements in accordance with Article 28 GDPR.

7. Do you plan to transmit personal data to a third country?

We do not plan to transmit personal data to a third country.

Your application via StepStone:

When your application is processed by StepStone on our behalf, the security services of

Akamai Technologies, Inc. are used, which can involve the transmission of data to the USA. Akamai is Privacy Shield certified, which means it has an appropriate level of data protection. This certification can be viewed at: <https://www.privacyshield.gov/participant?id=a2zt-0000000Gn4RAAS&status=Active>

Your application via monster:

Your data will be submitted to Monster Worldwide Deutschland GmbH and hosted and stored in a database on servers located in the USA. Monster Worldwide, Inc., a Delaware corporation with its principal place of business at 133 Boston Post Road, Weston, MA 02493, USA, is the legal entity determining the purposes and means of processing the information gathered on Monster sites and applications and is the “data processor” of all data Monster collects from you. EU-US Privacy Shield: Monster Worldwide, Inc. and TalentBin Inc. (collectively referred to as “Monster”) participate in and have certified their compliance with the EU-US Privacy Shield Framework. Monster is committed to subjecting to the Framework’s applicable principles all personal data received from European Union (EU) member states in reliance on the Privacy Shield Framework. To learn more about the Privacy Shield Framework, visit the US Department of Commerce’s Privacy Shield List at: <https://www.privacyshield.gov/list>. With respect to personal data received or transferred pursuant to the Privacy Shield Framework, Monster is subject to the regulatory enforcement powers of the US Federal Trade Commission.

8. Storage and erasure of your data

We store your personal data for as long as necessary to make a decision on your application. If we do not establish an employment relationship between you and us, we may continue to store data where this is required for the defense of any possible legal claims. The application documents are erased six months after the date on which you are notified that your application has been unsuccessful unless a longer storage period is required due to legal disputes.

9. Your data protection rights in relation to us

As an applicant to our company, you have the following data protection rights depending on your individual situation and can contact us or our data protection officer about the exercise of these rights at any time using the information in Sections 1 and 2.

a. Obtaining information

You have the right to obtain information about the personal data relating to you that we have processed, and to request access to your personal data and/or copies of this data. This includes information on the purpose of use, the type of data used, its recipients and persons authorized to access it and, if possible, the planned duration of data storage or, if this is not possible, the criteria for determining this duration;

b. Rectification, erasure or restriction of processing

You have the right to request the rectification without undue delay of incorrect personal data relating to you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

c. Right to object

If the personal data relating to you is processed based on Article 6 (1) Letter f GDPR, you have the right to object to the processing of this data at any time on grounds relating to your particular situation. We will no longer process this personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defense of legal claims.

d. Right of withdrawal

Where processing is based on consent, you have the right to withdraw this consent at any time without affecting the lawfulness of processing based on consent before its withdrawal. You can contact us or our data protection officer about this at any time by using the aforementioned information.

e. Right to erasure

You have the right to request the erasure of personal data relating to you without undue delay, and we are obliged to erase personal data without undue delay where one of the following grounds applies:

- the personal data is no longer necessary for the purpose for which it was collected or otherwise processed;
- you object to the processing pursuant to number 8.c above, and there are no overriding legitimate grounds for the processing;

- the personal data has been unlawfully processed;
- the personal data has to be erased for compliance with a legal obligation in Union or Member State law to which we are subject.

This does not apply to the extent that processing is necessary:

- for compliance with a legal obligation which requires processing by Union or Member State law to which we are subject;
- for the establishment, exercise or defense of legal claims.

f. Right to restriction of processing

You have the right to request the restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by you for a period enabling us to verify the accuracy of the personal data;
- the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead;
- we no longer need the personal data for the purposes of the processing, but you require them for the establishment, exercise or defense of legal claims; or
- you have objected to processing pursuant to number 8.c above pending verification of whether our legitimate grounds override yours.

Where processing has been restricted under letter e above, such personal data shall, with the exception of storage, only be processed with your consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State. If you have obtained restriction of processing, we will inform you before the restriction is lifted.

g. Right to lodge a complaint

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, particularly in the Member State of your habitual residence, place of work or place of the alleged infringement, if you consider that the processing of personal data relating to you infringes the GDPR.

10. Necessity of providing personal data

Although the provision of personal data is not legally or contractually mandatory, you are nonetheless obliged to provide personal data. This provision of personal data is necessary to conclude an agreement for an employment relationship with us. This means that we will not enter into an employment relationship with you if you do not provide us with any personal data when making an application.