

Data Privacy Policy for employees

Within the context of employment, personal data which are provided by staff (the term “staff members” thereby includes former staff members, staff members with a temporary contract and interns and managers) such as curriculum vitae, emergency contacts and personal data which are created due to the employment (e.g. salary data, information on sick leave, maternity leave, other leaves) have to be processed.

General data processing in the context of the employment relationship

Personal data related to staff members are processed for the payment of wages, salaries and other remunerations and for compliance with recording, information and reporting obligations, insofar as these is required by laws or standards of collective law or employment contract obligations. This includes automatically created and archived text documents (e.g. correspondence). Without those data the employer is not able to stipulate or execute the employment contract. The same applies also to all voluntary social benefits of the employer as well as to external educational and further training offers.

Based on statutory provisions and/or contractual agreements such relevant data are also transferred to the following entities:

- Payroll Administration (internal and external)
- Social insurance entities (including the company health insurance funds);
- Leave Final payment funds;
- Tax Office;
- Public Employment Service;
- Employment and work safety supervisory authorities;
- Chambers provided by law;
- Company doctors;
- Customers and interested parties of the employer;
- Education and training providers;
- Legal and economic advisors;
- Courts and Judges;
- Creditors of the data subject and other parties involved in any legal proceedings connected therewith, including in the case of voluntary assignments of salaries for claims due;
- Banks involved in payments to the data subject or third parties;
- Unions indicated by the employee if the consent of the data subject is provided;
- Co-insured persons;
- Pension funds;
- Travel agencies / hotels / airlines / taxi services / railway operators / car rental companies

Processing of special categories of personal data

In connection with the employment, data are processed which may be considered as special categories of personal data since they are revealing information on the following topics:

- a) health condition of the employee (absence due to illness, pregnancy, accidents or obligatory employment), suitability for particular assignments (resulting from regular preventive check-ups initiated by the employer or yourself);

- b) union membership (through exercise of special functions and/or payment of union contributions via the employer), religious beliefs (through religious holidays);

Special categories of personal data relating to the health condition which are processed by the company doctor during the regular preventive check-ups provided for by the respective national laws on health, safety and security are processed on the premises of the company directly by the doctor who is the Controller of those data. The employer is provided by the doctor only with the evaluation of any lack of fitness of employees for particular assignments resulting of such check-ups.

Data processing for system administration and security purposes

In compliance with the applicable data security laws, personal data related to staff members are processed for the administration and security of our computer systems, such as the administration of user IDs, the allocation of hardware and software to the system users and the guarantee of the security of the system as such. This includes automatically created and archived text documents (e.g. correspondence). Without such data processing, a secure operation of the systems and thus an employment in our company is not possible.

Disclosure of professional contact data and pictures on the intranet and in the communication systems

Professional contact details of staff members, including photographs, are disclosed on the intranet and in the communication systems of our group of companies for colleagues to be able to contact staff members. This is done due to our legitimate interest of a smooth business process. If staff members do not agree for legitimate reasons, they have the right to object to this processing.

Disclosure of professional contact details and photos on the company websites for contact and communication purposes

In order for customers and suppliers to contact us, professional contact details of staff members, including photos and video footage which may be shot on the companies' premises, are disclosed on the Internet. This is done due to our legitimate interest in a smooth business process and for communication purposes. If staff members do not agree for legitimate reasons, they have the right to object to this processing.

Data processing in the event of labour disputes

If a legal dispute arises during or after the end of an employment relationship, personal data required for appropriate legal prosecution may be disclosed to legal representatives and counsels, courts and judges.

Processing of data which have been provided on staff member's own free will- Consent

If staff members would like the company to directly pay union contributions, information on their your union membership is provided by them you on their own free will and processed based on their consent.

Emergency contacts are provided by staff members on their on free will and processed based on their consent.

The disclosure of staff member's photo on the intranet and/or in the communication systems of our group of companies and/or on the companies' websites is done if they agree with such disclosure on their free will and based on their consent.

All consents may be withdrawn independently of each other and at any time. As a consequence of a withdrawal, we will stop processing this data from this point in time for the above-mentioned purposes and the corresponding rights, advantages, etc. can no longer be enjoyed. For withdrawals, staff members may refer to: privacy@demaclenko.com

For Help-Desk-Services, Cloud-Services, Recruiting and Human Resource management-Services, several personal data referring to staff members are disclosed to contract processors.

Data processing outside the European Union/European Economic Area

Personal data referring to staff members are processed partially also outside the EU and the EEA, in particular in the USA and in Canada. The appropriate level of data protection results from

- an adequacy decision of the European Commission pursuant to Article 45 GDPR (Canada)
- binding internal data protection regulations pursuant to Art 47 and Art 46 para 2 lit b GDPR (USA) and appropriate safeguards pursuant to Art 46 para 2 lit c and d GDPR (USA)

Storage time

We store data concerning staff members within the context of the relevant legal storage obligations. In any case, the storage period shall not exceed 15 years after termination of the respective employment relationship.

Staff members' rights

Staff members have the right to be informed about the personal data referring to them which are processed by us, the right to access those data, the right to rectification, the right to erasure, the right to restriction of processing, the right to data portability and the right to object. In order to exercise their rights, staff members may contact us at privacy@demaclenko.com

If staff members consider that our processing of personal data referring to them violates legal provisions on data protection or, in any other way, is violating any data protection claims and rights of them, staff members may file a complaint with the national data protection authority.

Further information

Further information on the data protection rules and regulations of our enterprise including the respective rights and ways to exercise those rights are available on our Intranet in the folder Data Protection of the sector Quality management as well as in the Data protection Notice of our Website.

Contact details for data protection matters:

privacy@demaclenko.com