

DATA PROTECTION DECLARATION of BYTEC Medizintechnik GmbH regarding applications

We are pleased that you would like to apply to us. In the following, we explain how we process your personal data in the context of an application and provide further relevant information in this context.

In the following, we will inform you about the various purposes for which we process personal data, the legal basis on which such processing takes place and how long we store the data.

Where we obtain the consent of the data subject for the processing of personal data, Article 6 (1) lit. a of the EU Basic Data Protection Regulation (GDPR) serves as the legal basis for the processing of personal data. Art. 6 (1) lit. b GDPR serves as a legal basis for the processing of personal data required for the performance of a contract to which the data subject is a party. This shall also apply to processing operations necessary for the implementation of pre-contractual measures. If the processing of personal data is necessary to fulfill a legal obligation to which our company is subject, Art. 6 (1) lit. c GDPR serves as the legal basis. If the processing is necessary to safeguard a legitimate interest of our company or a third party and if the interests, fundamental rights and fundamental freedoms of the data subject do not outweigh the first-mentioned interest, Art. 6 (1) lit. f GDPR serves as the legal basis for the processing.

1. Who is responsible for the processing of your personal data?

BYTEC Medizintechnik GmbH (hereinafter referred to as "we") is responsible within the meaning of the EU Data Protection Basic Regulation ("GDPR").

2. Data Protection Officer

For all questions relating to the processing of your personal data and the exercise of your rights in accordance with the GDPR, please contact our data protection officer.

You can reach the company data protection officer of BYTEC Medizintechnik GmbH at:

E-Mail: datenschutz@bytecmed.de

3. For what purposes and on what legal basis do we process personal data?

We process personal data about you for the purpose of your application for employment to the extent necessary to decide whether to enter into an employment relationship with us. The legal basis is Section 26 (1) in conjunction with (8) sentence 2 BDSG.

Furthermore, we may process personal data about you to the extent necessary to defend ourselves against legal claims asserted against us in the application process. The legal basis is Art. 6 (1), lit. f GDPR; the legitimate interest is, for example, an obligation to provide evidence in proceedings under the General Equal Treatment Act (Allgemeines Gleichbehandlungsgesetz - AGG).

If there is an employment relationship between you and us, we may further process the personal data already received from you for the purposes of the employment relationship in accordance with § 26 Para. 1 BDSG if 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. Which categories of personal data do we process?

We process data related to your application. This may include general information about you (such as your name, address and contact details), information about your professional qualifications and schooling or information about professional development or other information you provide to us in connection with your application. In addition, we may process job-related information made publicly available by you, such as a profile on professional social media networks.

5. Which categories of recipient data are there?

We may transfer your personal data to companies affiliated with us insofar as this is permissible within the framework of the purposes and legal bases set out in Section 3. Otherwise, personal data will be processed on our behalf on the basis of contracts pursuant to Art. 28 GDPR, in particular by host providers or providers of applicant management systems.

6. Is the transfer to a third country intended?

A transfer to a third country is not intended.

7. How long will your data be stored?

We store your personal data for as long as is necessary to make a decision about your application. If an employment relationship between you and us is not established, we may also further store data to the extent necessary to defend against possible legal claims.

Application documents of rejected applicants will be deleted 6 months after rejection. The legal basis is Art. 6 para. 1 sentence 1 lit. f GDPR. The retention serves in particular as evidence in the event of a legal dispute, cf. § Section 15 para. 4 AGG.

If it is apparent that the data will be required after the 6-month period has expired (e.g. due to an impending or pending legal dispute), it will only be deleted when the purpose for further storage no longer applies.

Longer storage may also take place if you have given your consent (Art. 6 para. 1 sentence 1 lit. a GDPR).

8. What rights do you have?

As an applicant with us, you have the following data protection rights, depending on the situation in the individual case, for the exercise of which you can contact us or our data protection officer at any time under the data mentioned in paragraphs 1 and 2:

a. Information

You have the right to obtain information about your personal data processed by us and to request access to your personal data and/or copies thereof. This includes information on the purpose of the use, the category of data used, their recipients and authorised persons and, if possible, the planned duration of the data storage or, if this is not possible, the criteria for determining this duration;

b. Correction, erasure or limitation of processing

You have the right to demand from us immediately the correction of incorrect personal data concerning you. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data - also by means of a supplementary declaration.

c. Right of objection

INSOFAR AS WE BASE THE PROCESSING OF YOUR PERSONAL DATA ON THE BALANCING OF INTERESTS PURSUANT TO ART. 6 ABS. 1 LIT. F GDPR, YOU MAY OBJECT TO THE PROCESSING. WHEN EXERCISING SUCH AN OBJECTION, WE ASK YOU TO EXPLAIN THE REASONS WHY WE SHOULD NOT PROCESS YOUR PERSONAL DATA AS WE HAVE DONE. IN THE EVENT OF YOUR JUSTIFIED OBJECTION, WE WILL EXAMINE THE SITUATION AND EITHER DISCONTINUE OR ADAPT THE DATA PROCESSING OR POINT OUT TO YOU OUR COMPELLING REASONS WORTHY OF PROTECTION ON THE BASIS OF WHICH WE WILL CONTINUE THE PROCESSING.

IF YOU WISH TO EXERCISE YOUR RIGHT OF REVOCATION (PROVIDED YOU HAVE GIVEN YOUR CONSENT) OR YOUR RIGHT TO OBJECT, SIMPLY SEND AN E-MAIL TO DATENSCHUTZ@BYTECMED.DE.

d. Right of Withdrawal

If the processing is based on a consent, you have the right to revoke the consent at any time, without affecting the legality of the processing based on the consent up to the revocation. You can contact us or our data protection officer at any time at the above data.

e. Right to deletion

You have the right to request that we delete any personal information about you immediately and we are obligated to delete any personal information immediately if any of the following reasons apply:

- Personal data are no longer necessary for the purposes for which they were collected or otherwise processed.
- You object to the processing in accordance with point 8.c above and there are no overriding legitimate reasons for the processing.

- Personal data have been processed unlawfully.
- The deletion of personal data is necessary to fulfill a legal obligation under Union law or the law of the Member States to which we are subject.

This does not apply if processing is necessary:

- to fulfill a legal obligation which processing requires under the law of the Union or of the Member States to which we are subject.
- to assert, exercise or defend legal claims.

f. Right to limitation of processing

You have the right to demand that we restrict processing if one of the following conditions is met:

- the accuracy of the personal data is disputed by you for a period of time that allows us to verify the accuracy of the personal data,
- the processing is unlawful, and you refuse to delete the personal data and instead request the restriction of the use of the personal data;
- we no longer need the personal data for the purposes of processing, but you need it to assert, exercise or defend legal claims, or
- you have objected to the processing under paragraph 8.c above as long as it is not yet clear whether our legitimate reasons outweigh yours.

Where processing has been restricted in accordance with this point (e), such personal data shall not be processed, other than with your consent or for the purpose of asserting, exercising or defending legal rights or protecting the rights of another natural or legal person or for reasons of an important public interest of the Union or of a Member State, except where they are stored.

If you have obtained a restriction on processing, we will inform you before the restriction is lifted.

g. Right of appeal

Without prejudice to any other administrative or judicial remedy, you have the right to complain to a supervisory authority, in particular in the Member State in which you are staying, at your place of work or at the place where the alleged infringement is alleged, if you consider that the processing of your personal data is contrary to the GDPR. The competent authority for us is the State Commissioner for Data Protection and Freedom of Information of North Rhine-Westphalia, Postfach 20 04 44, 40102 Düsseldorf, Germany.

9. Necessity of the provision of personal data

The provision of personal data is neither required by law nor by contract, nor are you obliged to provide the personal data. However, the provision of personal information is required to enter into an employment contract with us. This means that if you do not provide us with any personal data in an application, we will not enter into an employment relationship with you.

10. No automated decision making

There is no automated decision in individual cases within the meaning of Art. 22 GDPR, i.e. the decision on your application is not based on automated processing.

11. Encrypted data transmission

You can also send us your application documents in encrypted form. If you make use of this type of data transmission, you must provide us with the password for decryption in a separate e-mail or by telephone.

12. Cookies

In order to technically guarantee your visit to our website and to enable the use of certain functions, we use so-called cookies on various pages on the basis of § 25 para. 2 no. 2 TDDDG or Art. 6 para. 1 sentence 1 lit. f GDPR. These are small files that your browser automatically creates and that are stored on your end device (laptop, tablet, smartphone, etc.) when you visit our website. Cookies do not cause any damage to your end device and do not contain any viruses, Trojans or other malware.

Information is stored in the cookie that results in each case in connection with the specific end device used. However, this does not mean that we gain direct knowledge of your identity.

Technically necessary cookies:

- 1 cookie to store consent or refusal to web tracking (opt-out):

Purpose of the cookie: The purpose of using technically necessary cookies is to simplify the use of websites for users. Some functions of our website cannot be offered without the use of cookies. For these it is necessary that the browser is recognized even after a page change.

BYTEC uses the web analysis tool "Matomo", which is operated on our own server, for optimization purposes. The use of "Matomo" complies with data protection regulations in accordance with the recommendations of the Independent State Center for Data Protection Schleswig-Holstein (ULD). The IP addresses are immediately anonymized by Matomo, making it impossible to identify visitors. The anonymous statistical data is stored separately from any personal data you may have provided and does not allow any conclusions to be drawn about a specific person.

Duration of storage, objection and removal options for cookies: Cookies are stored on the user's computer and transmitted from there to our website. As a user, you therefore have full control over the use of cookies. You can deactivate or restrict the transmission of cookies by changing the settings in your Internet browser. Cookies that have already been saved can be deleted at any time. This can also be done automatically.

- Cookie for storing consent or refusal to web tracking (opt-out): maximum 365 days

You can delete all cookies manually or set your browser to automatically delete all cookies at the end of a session.

If the technically necessary cookies for our website are deleted, it may no longer be possible to use all functions of the website to their full extent.

13. Web tracking/web analysis with Matomo

BYTEC uses the web analysis tool “Matomo” (formerly Piwik) to optimize its website. We use Matomo without the use of tracking cookies. We have activated the use of tracking cookies provided for in the basic configuration of Matomo to ensure a particularly data protection-friendly procedure.

The following data is stored using Matomo:

- 1 byte of the IP address of the user's accessing system
- Time and duration of the visit
- Pages and files accessed during the visit
- Website from which users accessed the website (referrer)
- Search terms used by users to access the website and search terms used in internal searches
- Access to external websites that are accessed via links on our site
- System information of the users (operating system, browser, browser language set, device type, screen resolution)

Matomo runs exclusively on our own servers. The data collected during a website visit is only stored there. The IP addresses are immediately anonymized by Matomo, making it impossible to identify visitors. The anonymous statistical data is stored separately from any personal data you may have entered on the website and does not allow any conclusions to be drawn about a specific person.

- Purpose of data processing: The processing of the aforementioned data enables us to analyze the surfing behavior of users on our website. By evaluating the data obtained, we are able to compile information about the use of the individual components of our website. This enables us to constantly improve the content and user-friendliness of our website so that users can access the information they need quickly and efficiently. By anonymizing the IP address, the interest of users in the protection of their personal data is adequately taken into account.
- Legal basis for data processing: The legal basis for the processing of the aforementioned data is our legitimate interests pursuant to Art. 6 para. 1 sentence 1 lit. f GDPR. The data protection-friendly optimization of our website represents a legitimate interest of BYTEC. Due to the described data protection-friendly configuration and the extensive anonymization measures, we do not assume that the interests of the website users outweigh ours. It is also possible to object to the processing at any time (opt-out).
- Duration of storage: The anonymous log data is deleted as soon as it is no longer required for our recording purposes. This is the case after 90 days. After that, only the reports generated from it are processed.

- Objection and removal option: You have the option to object to the recording of your visit for analysis purposes (opt-out). This sets a cookie in your browser that signals our system not to save the data of your visit to our website.

14. Presence in social networks (social media)

We maintain online presences within social networks and process user data in this context in order to communicate with users active there or to offer information about us.

We would like to point out that user data may be processed outside the European Union. This may result in risks for the users because, for example, the enforcement of the users' rights could be made more difficult.

Furthermore, user data is usually processed within social networks for market research and advertising purposes. For example, usage profiles can be created based on the usage behavior and resulting interests of the users. The usage profiles can in turn be used, for example, to place advertisements within and outside the networks that presumably correspond to the interests of the users. For these purposes, cookies are usually stored on the users' computers, in which the usage behavior and interests of the users are stored. Furthermore, data independent of the devices used by the users may also be stored in the usage profiles (especially if the users are members of the respective platforms and are logged in to them).

For a detailed presentation of the respective forms of processing and the options to object (opt-out), we refer to the privacy statements and information provided by the operators of the respective networks.

In the case of requests for information and the assertion of data subject rights, we would also like to point out that these can be asserted most effectively with the providers. Only the providers have access to the users' data and can take appropriate measures and provide information directly. If you still need help, you can contact us.

Types of data processed: inventory data (e.g. names, addresses), contact data (e.g. e-mail, telephone numbers), content data (e.g. entries in online forms), usage data (e.g. websites visited, interest in content, access times), meta/communication data (e.g. device information, IP addresses).

Data subjects: Users (e.g., website visitors, users of online services).

Purposes of processing: contact requests and communication, tracking (e.g. interest/behavioral profiling, use of cookies), remarketing, reach measurement (e.g. access statistics, recognition of returning visitors).

Legal basis: Legitimate interests (Art. 6 para. 1 p. 1 lit. f. GDPR).

Services used and service providers:

LinkedIn: social network; service provider: LinkedIn Ireland Unlimited Company, Wilton Place, Dublin 2, Ireland; website: <https://www.linkedin.com>; privacy policy: <https://www.linkedin.com/legal/privacy-policy>; opt-out: <https://www.linkedin.com/psettings/guest-controls/retargeting-opt-out>

Xing: Social network; Service provider: XING AG, Dammtorstraße 29-32, 20354 Hamburg, Germany; website: <https://www.xing.de>; privacy policy: <https://privacy.xing.com/de/datenschutzerklaerung>

Instagram: Social network; service provider: Facebook Ireland Limited, 4 Grand Canal Square, Dublin 2, Ireland, Facebook Ireland Limited is a company registered under the laws of the Republic of Ireland. Commercial register number: 462932
Privacy policy: https://help.instagram.com/519522125107875/?helpref=hc_fnav