

## **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 (DSGVO) serves as the legal basis for the processing of personal data. Art. 6 (1) lit. b DSGVO 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 DSGVO 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 DSGVO 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 ("DSGVO").

### **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 DSGVO, please contact our data protection officer, Mr Kneis. You can reach him at [guido.kneis@bytecmed.com](mailto:guido.kneis@bytecmed.com)

### **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 DSGVO; 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 DSGVO, 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. The application documents will be deleted three months after notification of the rejection decision, unless longer storage is necessary due to legal disputes.

**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**

If the processing of personal data concerning you takes place on the basis of Art. 6 (1) lit. f DSGVO, you have the right 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 processing worthy of protection which outweigh your interests, rights and freedoms, or the processing serves the assertion, exercise or defence of legal claims.

**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 to take your data with you**

You have the right to receive the personal data relating to you that you have provided to us in a structured, common and machine-readable format, and you have the right to transfer such data to another responsible, without interference from us, to whom the personal data is to be provided, provided that

- (a) the processing is based on a consent pursuant to Art. 6 (1) lit. a DSGVO or Art. 9 (2) lit. a DSGVO or on a contract pursuant to Art. 6 (1) lit. b DSGVO and
- (b) the processing was carried out using automated procedures.

When exercising your right to data transferability, you have the right to request that the personal data be transferred directly by us to another responsible person named by you, insofar as this is technically feasible.

#### **h. 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 DSGVO.

### **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 DSGVO, i.e. the decision on your application is not based on automated processing.

### **11. 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. DSGVO).

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>

**Twitter:** social network; service provider: Twitter International Company, One Cumberland Place, Fenian Street, Dublin 2 D02 AX07, Ireland, parent company: Twitter Inc, 1355 Market Street, Suite 900, San Francisco, CA 94103, USA; privacy policy: <https://twitter.com/de/privacy>, (settings) <https://twitter.com/personalization>

**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](https://help.instagram.com/519522125107875/?helpref=hc_fnav)