



# Data Policy Workday

Career Site Logicalis GmbH



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# 1 Controller

The controller as defined in Art. 4 no. 7 GDPR (General Data Protection Regulation) is:

Logicalis GmbH (hereinafter Logicalis), Martin-Behaim-Strasse 19-21, 63263 Neu-Isenburg, Germany, tel: +49 (0) 6102 - 7786 – 0, fax: +49 (0) 6102 - 7786 – 980, email: [info@logicalis.de](mailto:info@logicalis.de), managing directors: Rüdiger Rath and Christian Werner.

# 2 Data Protection Officer

The data protection officer is: Ms Kerstin Wahl, email: [dsb@logicalis.de](mailto:dsb@logicalis.de)

# 3 Cloud-based Candidate Portal

On our career site, we use the application functionality of the software “Workday Human Capital Management” (HCM) of the company Workday (<https://www.workday.com>). Workday provides HCM to us via their cloud (“Software-as-a-Service”). This means that Workday provides us with both the software HCM and the server structure for the use and storage of personal data and, consequently, your personal data you provide as part of your application is stored in the public cloud of Workday, where we process it, too.

We agreed with Workday by way of contract that the processing of your personal data will be made within the European Union in the computing centres of Workday in Amsterdam and Dublin on an exclusive basis.

# 4 Collection, Processing and Use of Personal Data

## 4.1 Log Files

Whenever you access our career site, our system collects data and information automatically from the system you use to visit the website.

In that process, the following data are collected:

- Information on the browser type and the version used
- The operating system of the user
- The internet service provider of the user
- The IP address of the user
- Date and time of access
- Websites from which the user’s system gets to our career site
- Websites accessed by the user’s system via our career site

Those data are also stored in the log files of our system. There will be no storage of those data together with other personal data of the user.

The legal basis for the temporary storage of the data is Art. 6 para. 1 lit. f GDPR.

Storage is made to ensure the functionality of the website. Moreover, we use the data to optimise the website and to ensure the security of our information technology systems. In this connection, there will be no evaluation of the data for marketing purposes.

The aforesaid purposes are also the basis for our legitimate interest as defined in Art. 6 para. 1 lit. f GDPR.

The data will be erased once they are no longer required to accomplish the purpose of their collection. In the event of collection of the data for the provision of the website, this is the case once the respective session ends. In the event of storage of the data, this will be the case after 7 days, at the latest.

## 4.2 Application Portal

### 4.2.1 Registration

To send an application it is required that you open a user account and register on the application portal. The registration of a user account enables you to keep yourself informed of the status of your application procedure and to find your application data deposited already if you apply again eventually, as we store the data you provided in your application in your user account, too.

By checking the box at the end of the application as well as the registration process, you give your consent to the collection and storage of your data. The legal basis for the processing in this respect is Art. 6 para. 1 lit. a GDPR.

The data remain stored until you or we cancel your registration. You have the opportunity to withdraw your consent to the collection and storage at any time by sending a message via email to [de.hr@logicalis.de](mailto:de.hr@logicalis.de) or to close your user account on the application portal. In such a case, your user account will be deleted within 1 month after the receipt of your cancellation request, which automatically entails the discontinuation of application procedure and the erasure of the provided application documents, too. The withdrawal of your consent does not affect the lawfulness of the processing made on the basis of your consent until the withdrawal.

In case of misuse of the application portal, we reserve our right to block or delete user accounts at any time. A misuse is particularly when obviously unserious applications are stored via a user account.

### 4.2.2 Application

On our career site, you may apply for jobs advertised on our application portal from time to time; your unsolicited application is welcome, too. In the application process, we collect various information from you about your identity, your qualifications and your career history. We collect, for instance, first and second names, age, address, email, telephone number as well as information about your training, previous employers and advanced vocational training. Moreover, we ask you for your desired salary and your favoured starting date.

As part of the application, you may as well provide us with documents such as your CV, copies of reports or other certificates by way of uploading them.

When you send the application, the data entered in the input screen will be transmitted to us and stored in the public cloud of Workday for the processing of the application procedure. Moreover, your application documents may be downloaded and/or printed for job interviews or other meetings, if applicable.

The provision of your personal data as part of an application is of a voluntary nature in principle. Some data, however, are mandatorily required and must be provided. Without the provision of such mandatory data, it is not possible to send the application. Furthermore, we inform you that incomplete data or missing documents may entail that we cannot consider your application. In such a case, we will erase your application as described in clause 4.2.6.

The sending of the data provided in the application process and of the uploaded documents is possible only when you checked the box for our privacy policy at the end of the application to give your consent to the provisions of our data policy and to the data processing in the events described in this policy.

The legal bases for the processing of your data are Art. 6 para. 1 lit. b GDPR in combination with sec. 26 para. 1 BDSG (German Federal Data Protection Act).

At the time of sending the application, the following other data are stored additionally:

- The IP address of the user
- Date and time of sending the application

These other personal data processed in the event of sending are needed to prevent the misuse of the application portal and to ensure the security of our information technology systems.

The legal basis for such data processing is Art. 6 para. 1 lit. f GDPR. The legitimate interest is based on the prevention of the misuse and the need to ensure security for our information technology systems.

You have the opportunity to withdraw your application at any time. To do so, please log in to your user account and click on "Withdraw your application" or send us a message via email to [de.hr@logicalis.de](mailto:de.hr@logicalis.de). In such a case, we will no longer consider your application and erase your data as described in clause 4.2.6.

### 4.2.3 Underage Candidates (e.g. Interns)

If underage candidates apply for a job we advertised, they will be requested after they entered their date of birth to download the document "Approval and Consent of the Natural/Legal Guardian", which has to be filled in and signed by the natural/legal guardian and attached to the application additionally. Otherwise, we cannot consider the application of the underage candidate, as it is not possible to enter into a valid contract of employment with the underage person (cf. sec. 106, sec. 107, sec. 108, sec. 113 German Civil Code) without the consent of the natural/legal guardian on the one hand, and on the other hand we cannot evaluate in advance whether the minor person has the required ability to reason in order to give its consent to the cloud-based processing of his/her personal data. Therefore, we obtain an approval from the natural/legal guardian to complement the processed data.

If the document “Approval and Consent of the Natural/Legal Guardian” is not filled in, signed and enclosed to the application of an underage candidate, the application procedure cannot be completed. If the uploaded document does not contain any valid approval and consent of the natural/legal guardian, the filed documents, the user account and all the stored data will be erased within one month.

#### 4.2.4 Talent Pool, Retention of Data for up to Two Years

We reserve the right to include in our company-owned talent pool the applications of candidates to whom we cannot offer any adequate job for the time being, but with whom we would basically like to stay in touch to recruit them eventually, as the case may be. In the application procedure, you have the opportunity to answer “yes” or “no” to the question “Would you like to be included in our talent pool in the future?”. If you should agree to the inclusion, we will include you in our talent pool. If you say no, we will not consider you in this respect anymore. If you should not give your consent to the inclusion in the talent pool, it will have no impacts at all on your specific application. Moreover, if you agree, you also give us the permission to contact you by email during that time to send you information about our group of companies. Such information relates exclusively to current and/or new job offers, newly created jobs and/or departments, newly established company locations, as well as the growth of our group in general. In this connection, there will be no advertising of our products or services.

The legal basis for the inclusion in the talent pool as well as the sending of information by email is your consent pursuant to Art. 6 para. 1 lit. a GDPR. The withdrawal of your consent will not affect the lawfulness of the processing made on the basis of your consent until the withdrawal.

If you agree to the inclusion in the talent pool, we will store and not erase your data for as long as we list you in our talent pool or until you inform us that you do not wish to take part in the talent pool any longer. If you have been included in the talent pool already and withdraw your consent prior to the lapse of two years, we will erase your application in the talent pool within one month as of the withdrawal. Apart from that, we erase your data in the talent pool upon the lapse of two years. Please consult our data policy for further details regarding erasure.

#### 4.2.5 Application upon Referral by a Headhunter

Headhunters we contracted or cooperating with us have their own access to the application portal. There, they can store applications and/or upload documents for their clients. Following the storing of an application by a headhunter, the candidates will be informed of their rights as well as of the means and purposes of processing in an automatic email as defined in Art. 14 GDPR together with a link to this data policy. If you have not given your consent to the headhunter filing your application or if you do not wish this to occur, you can object to the storage of your data by sending an email to [de.hr@logicalis.de](mailto:de.hr@logicalis.de) at any time; this will entail the erasure of the application submitted by the headhunter as well as of the documents provided in this connection.

The legal bases of such processing are Art. 6 para. 1 lit. b GDPR in combination with sec. 26 para. 1 BDSG.

#### 4.2.6 Retention of Applications / Erasure

In the event of finalisation of the application procedure with a refusal by us or you, your applications, including your user account, will be erased six months after the date of refusal, except for applications of minor candidates for whom the consent and approval of the natural/legal guardian has not been delivered within 14 days of the receipt of the application, and except for inclusions of applications in the talent pool.

If the application procedure ends with the hiring of the candidate, your application documents will be included in the employee database as well as in the electronic and physical personnel file.

The erasure encompasses the electronic application documents that were printed and/or temporarily stored, as well as the ones stored in the cloud.

## 5 Cookies

On our career site, we use cookies, of which we inform the user when he/she views the website. Cookies are small text files, which are stored on the end device of the user when he/she views a website. Cookies are not harmful and contain information enabling the unequivocal identification of the browser when the website is viewed again and – based on such identification – showing the user a website adjusted in accordance with his/her surfing behaviour.

No third-party cookies (cookies of third-party providers or partner companies) are used on our career site.

### 5.1 Session Cookies

To make your visit to our career site as attractive as possible, we use so-called session cookies. They contain a private ID storing the settings, uses and/or entries of a visitor for a followup session. The session cookies or the private IDs, respectively, do not contain any personal data and are used for the exclusive purpose of delivering a working and as attractive as possible website to the user.

The information collected by the cookies are not used to create any user profiles. You can delete cookies yourself and/or set your browser to inform you of the setting of cookies for you to decide in each case whether you accept them or not or exclude the acceptance of cookies in certain cases or on a general basis. If cookies are not accepted, the functionality of our website could be reduced.

### 5.2 Google Analytics

In addition, on this website we use Google Analytics, a web analysis service of Google Inc. (“Google”). Please note that on this website, Google Analytics was extended by the code “gat.\_anonymizeIp();” in order to guarantee the anonymised collection of IP addresses (so-called IP masking).

Google Analytics also uses so-called cookies to allow an analysis of your use of the website. In this connection, pseudonymised use profiles are created.

The information on your use of this website generated by the cookie will be transferred to and stored on a server of Google in the USA. The IP address of the visitor or registered user, however, is previously truncated by Google in member states of the European Union or in other contracting states of the Agreement on the European Economic Area. Only in exceptional cases will the full IP address be transferred to and truncated on a server of Google in the USA. On behalf of the operator of this website and based on a written contract on order processing, Google will use such information to evaluate your use of the website to prepare reports of the website activities for the website operators and to provide additional services associated with website use and internet use. Moreover, Google will transfer such information to third parties, if applicable, if so required by law or to the extent in which third parties process the data for Google. Google will in no case combine your IP address with other data of Google.

You may delete cookies stored in your browser or set your browser to inform you of the setting of cookies for you to decide in each case whether you accept them or not or exclude the acceptance of cookies in certain cases or on a general basis. You may prevent the collection and further processing of your data by Google by downloading and installing the plugin available at this link: <http://tools.google.com/dlpage/gaoptout?hl=de>. If cookies are not accepted, the functionality of our website could be reduced.

The legal basis for the processing of personal data is Art. 6 para. 1 lit. f GDPR. The evaluation of the user behaviour on our website is also our legitimate interest.

For more information on the terms and conditions of use and on data privacy of Google please consult <http://www.google.com/analytics/terms/de.html> or <https://www.google.de/intl/de/policies/>.

## 6 **LinkedIn**

If you apply for a job with us, you may transfer your application data to our portal using the function “Mit LinkedIn bewerben” (application with LinkedIn). To do so, just click the button “Mit LinkedIn bewerben”. Once you clicked the button, you will be redirected to LinkedIn, where you have to log in with your profile data. Our application platform will then establish a connection to the servers of LinkedIn and you will be redirected to our application platform again. This way, all the information with relevance for the application such as first and second names, professional qualification, professional experience and skills history, can be transferred from LinkedIn into the online application. If you decide to use this function, LinkedIn will receive information on your visit to and your interaction with our application portal.

After the sending of the application by way of the own LinkedIn profile, the candidate will be shown persons working with us. Those contacts may be used for a first contact, if required.

For more information in this regard, please consult the privacy policy of LinkedIn at: [https://www.linkedin.com/legal/privacy-policy?\\_l=de\\_DE](https://www.linkedin.com/legal/privacy-policy?_l=de_DE).

Applications using the function “Mit LinkedIn bewerben” are of a voluntary nature. You may as well fill in the text boxes of the application yourself if you do not want LinkedIn to get information about your application

with us. Moreover, please note that we have no knowledge of the contents and the type of the transferred data as well as their use by LinkedIn.

The legal basis for data processing is Art. 6 para. 1 lit. b GDPR in combination with sec. 26 para. 1 BDSG and Art. 6 Abs. 1 lit. f GDPR. Our legitimate interest consists in offering you an as comfortable as possible application by transferring your application information from your LinkedIn profile to our portal without having to enter the data one by one.

## 7 **SSL Encryption**

The security of your personal data is important to us. Therefore, they are transferred using SSL encryption. SSL is the abbreviation for “Secure Socket Layer”. You can see whether a part of a website is encrypted or whether an encrypted transfer takes place when the http:// at the beginning of the address bar changes to https://. Some browsers also show a closed “lock symbol” and the address bar of the browser highlighted in green.

## 8 **Rights of the Data Subject**

In your relationship with us, you have the following rights relating to your personal data:

- Right of access to information,
- Right of rectification or erasure,
- Right to restriction of processing,
- Right to object to the processing,
- Right to data portability.

Moreover, you have the right to complain with a data protection supervisory authority about our processing of your personal data.

You receive the information and notices relating to your rights free of cost.

For questions about the collection, processing or use of your personal data, for the assertion of your rights or the withdrawal of given approvals, please contact our data protection officer.

## 9 **Modification of the Data Policy**

We reserve the right to modify this data policy for the future.

A modification of the data policy relating to the use of your data we already collected and stored will occur only if you can reasonably be expected to accept that. If and to the extent in which modifications of the data policy relate to the use of your data we already collected and stored, we will inform you in a timely manner by email or on our website. You have the right object to the applicability of the new data policy within six

weeks after the receipt of the notice. In the event of objection, we reserve our right to cancel the registration of the user account opened with us, as well as to erase still pending applications pursuant to clause 4.2.6 above. If no objection is raised within the said period, the data policy will be deemed accepted by you. In the notice, we will inform you of your right to object and the significance of the period of objection.

## 10 Miscellaneous

For questions concerning the data protection provisions of our website, please contact our data protection officer at [dsb@logicalis.de](mailto:dsb@logicalis.de).

For questions concerning your application, please send us an email to [frank.laurent@logicalis.de](mailto:frank.laurent@logicalis.de).

## 11 Revision History

| Date       | Version | Changes / Reason for Changes   | Person       |
|------------|---------|--|--------------|
| 25.04.2019 | 1.0.0   | Final Adjustments  | Alen Bosnjak |
| 06.11.2019 | 1.1.0   | Deletion of the de.bewerbung e-mail and inclusion of Kerstin Wahl. Adaptation uniform process defined for the various cases of revocation. | Alen Bosnjak |

## 12 Document Owner and Approval

|                       |              |
|-----------------------|--------------|
| <b>Verantwortlich</b> | Kerstin Wahl |
| <b>Freigabe</b>       | Kerstin Wahl |
| <b>Version</b>        | 1.1.0        |

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