

INFORMATION ON HOW WE HANDLE DATA RELATING TO YOU AS AN APPLICANT

This information is provided as part of our duties arising from the General Data Protection Regulation (GDPR).

1. PRELIMINARY REMARKS

The information provided below is intended to tell you more about how we handle your data. The legislation relating to this specifies which information we need to provide.

If you would like to find out more, please refer to Articles 12 to 22 and 34 of the GDPR. You can access the text of the GDPR online at <https://gdpr-info.eu/>. If you have any further questions relating to the GDPR, please feel free to contact the data protection officer and/or the management team.

2. WHAT IS PERSONAL DATA?

Any information that relates to a defined or definable person. A person is considered definable if they can be identified either directly or indirectly. This may occur in particular through reference to an identifier such as a name, an identification number, location data, an online identifier or one or more factors specific to the person.

3. BASIC INFORMATION

3.1 Who is the controller responsible for processing my data?

The controller responsible for data processing is

BC Extrusion Holding GmbH
 Grüner Weg 9
 32547 Bad Oeynhausen, Germany
 Phone: +49 (0) 5731 242-0
 E-mail: germany@battenfeld-cincinnati.com

3.2 How do I contact you?

E-mail: info@battenfeld-cincinnati.com

3.3 Which authority is responsible for monitoring and adherence to data protection legislation?

Competent data protection supervisory authority

Landesbeauftragte für den Datenschutz und Informationsfreiheit Nordrhein-Westfalen
 Postfach 200444, 40102 Düsseldorf, Germany
 Phone: +49 (0211) 384240 E-mail: poststelle@ldi.nrw.de

3.4 How do I contact the company's data protection officer?

You can contact the data protection officer using the following details:

SK Consulting Group GmbH
 Mr. Carsten Bruns
 Osterweg 2
 32549 Bad Oeynhausen, Germany
 E-mail: datenschutz@SK-consulting.com

4. OTHER IMPORTANT INFORMATION

4.1 Why do you collect data as part of the application process?

It is important that we find out more about one another before you decide that you would like to work for us and we decide that we would like to take you on. As part of this, in the first instance we routinely use the information and documentation that you provide in writing or text form. The next stage involves getting to know more about you in person. The purpose of collecting data in this way is to make an informed decision that will form the basis for a solid long-term relationship.

4.2 Why are you allowed to do this?

Pursuant to Section 26 (1), sentence 1 of the German Federal Data Protection Act (BDSG; new version), in conjunction with Article 88 (1) of the GDPR, we are permitted to collect data that is required for establishing an employment relationship. If you voluntarily share information about yourself beyond just the necessary data, we are permitted to process this on the basis of consent in accordance with data protection legislation (pursuant to Article 6 (1) (a) of the GDPR).

The legal basis for collecting the aforementioned mandatory details is Section 26 (1), sentence 1 of the BDSG (new version), in conjunction with Article 88 (1) of the GDPR.

4.3 Who is able to receive data from me?

As part of processing, your data may be transmitted to:

- Persons within our company who are directly involved in data processing (*such as the HR department*)
- Service providers who are bound by a contract and are obligated to uphold secrecy, and who take on subtasks within data processing projects
- External companies, if required. *Examples include mail service providers that deliver letters*

4.4 Do you intend to transmit data from me to countries outside the European Union?

We do not have any plans to do so. If we were to consider making an exception to this, it would only be in cases where you had initiated it; for example, if you had given us the details of a bank account outside the European Union into which we were to transfer money. The legal basis for this is Article 6 (1) (b) of the GDPR, Section 24 of the BDSG (new version) and Article 49 (1) (b) of the GDPR.

4.5 How long will you store my data for?

We will store your data for however long is required to achieve the purposes referred to in 4.1. Paper documents will be returned and digital documents erased no more than six months after the decision is made. This period is intended to ensure protection against claims arising from the German Act on Equal Treatment (AGG). However, there may be some legal provisions (such as Section 147 of the Fiscal Code of Germany) that require us to retain certain documents for six or ten years. After this period has elapsed, we will erase any data that we no longer require.

4.6 Do I have to provide my data?

We need you to provide your personal data so that we can achieve the purposes referred to in 4.1.

This is also strictly required so that we can conclude a contract with you. Therefore, if you do not provide your data, we will not be able to conclude a contract with you.

If you wish to lodge a complaint, you may contact the competent supervisory authority at any time. The supervisory authority referred to in 3.3. is responsible for our company.

You have the right to have a judicial examination of this, and to seek an effective judicial remedy against a supervisory authority pursuant to Article 78 of the GDPR and against our company pursuant to Article 79 of the GDPR.

4.7 Automated decision-making/profiling

We do not perform any automated decision-making/profiling.

5. WHAT RIGHTS DO I HAVE?

5.1 Information about your rights

As a data subject of data processing, you have the following rights under the GDPR (also referred to in the information that follows as “data subject rights”):

5.2 Right of access (pursuant to Article 15 of the GDPR)

You have the right to access information concerning whether or not we are processing personal data of yours. If we are processing your personal data, you have a right to know

- the purposes for which we are processing your personal (see also 4.1);
- the type of personal data we are processing;
- the categories of recipients to whom the personal data relating to you has been or will be disclosed (see also 4.3);
- the planned storage duration for your data (if no specific statement as to the storage duration can be made, we must inform you of the criteria for defining the storage duration; for example, after the expiry of the statutory retention periods); see also 4.5;
- that you have a right to rectification and erasure of personal data relating to you, including the right to restrict processing and/or the option of objecting to such processing (see also 5.2 and 5.3 below, plus subsequent points);
- that you have the right to file a complaint with a supervisory authority;
- the origin of your data, if we have not collected it directly from you;

- whether your data will be used for an automated decision and, if so, what logic underpins this decision, plus the impact and consequences that the automated decision may have on you;
- that if personal data relating to you is transmitted to a country outside the European Union, you have the right to know whether this is the case and, if so, which safeguards the recipient will provide in order to ensure an adequate level of protection;
- that you have the right to request a copy of your personal data. Data copies are always made available in digital form.
The first copy is free of charge; an appropriate fee will be required for all further copies. A copy can only be provided if the rights of other persons are not affected.

5.3 Right to rectification (pursuant to Article 16 of the GDPR)

You have the right to request that we rectify your personal data if it is incorrect and/or incomplete. This right also includes the right to have data completed through supplementary statements or communications. Rectifications and/or additions must be made without any culpable delay.

5.4 Right to erasure of personal data (pursuant to Article 17 of the GDPR)

You have the right to request that we erase your personal data

- if the personal data is no longer needed for the purposes for which it was collected and processed;
- if the data was processed on the basis of consent that you granted and later revoked; however, this does not apply if there are other legal grounds for processing the data;
- if you have objected to data processing that is legally permitted due to what is known as a “legitimate interest” (under Article 6 (1) (e) or (f) of the GDPR); however, erasure need not take place if there are overriding legitimate reasons for further processing;
- if you have objected to data processing for the purpose of direct marketing;
- if your personal data has been unlawfully processed;
- if the data concerns a child and was collected for information society services (= electronic services) on the basis of consent (pursuant to Article 8 (1) of the GDPR).

A right to erase personal data does not exist if

- the right to freedom of expression and information contradicts the request for erasure;
- personal data needs to be processed
 - to fulfill a legal obligation (e.g. statutory storage obligations),
 - to carry out public tasks and interests in accordance with applicable law (including “public health”), or
 - for archiving and/or research purposes;
- the personal data is necessary for the assertion, exercise, or defense of legal claims.

The erasure must be carried out promptly (without any culpable delay). If personal data has been made public by us (on the Internet, for example), we must ensure that other data processors are also informed of the request for erasure, – including the erasure of links, copies, and/or replications – within the framework of what is technically feasible and reasonable.

5.5 Right to restriction of data processing (pursuant to Article 18 of the GDPR)

You have the right to request that we restrict the processing of your personal data in the following cases:

- If you have disputed the accuracy of your personal data, you may request that we refrain from using your data for any other purpose for the duration of the accuracy check and thus restrict the processing of the data.
- In the event of unlawful data processing, you may request that we restrict data use instead of erasing the data.
- If you need your personal data to assert, exercise, or defend legal claims, but we no longer need your personal data, you may request that we restrict processing to the purposes of legal prosecution.
- If you have objected to data processing (pursuant to Article 21 (1) of the GDPR; see also 5.7) and it is not yet clear whether our interests in processing the data override your interests, you may request that your data is not used for any other purposes for however long it takes to check this, and thus restrict the processing of the data.

Personal data whose processing has been restricted at your request may only be processed, subject to storage rights,

- with your consent,
- in order to exercise or defend legal claims,
- in order to protect the rights of other natural or legal persons, or

- for reasons of substantial public interest.

Should a processing restriction be lifted, you will be informed of this in advance.

5.6 Right to data portability (pursuant to Article 20 of the GDPR)

You have the right to request from us the data that you provided to us, in a machine-readable format of common use (e.g. in PDF or Excel format).

You can also request that we transfer this data directly to another (specific) company, provided this is technically feasible for us.

The prerequisite for you to have this right is that the processing be based on consent or for the performance of a contract and carried out by automated procedures.

Exercising the right to data portability must not infringe the rights and freedoms of other persons.

If you exercise the right to data portability, you still have the right to data erasure pursuant to Article 17 of the GDPR.

5.7 Right to object to certain data processing operations (pursuant to Article 21 of the GDPR)

If your data is processed for the performance of tasks in the public interest, or in order to safeguard legitimate interests, you may object to this processing. You must explain to us the reasons for your objection resulting from your particular situation. These may be, for example, special family circumstances or secrecy interests worthy of protection.

In the event of an objection, we will refrain from any further processing of your data for the purposes specified, unless:

- there are compelling protection-worthy grounds for processing which override your interests, rights, and freedoms, or
- the processing is necessary for the assertion, exercise, or defense of legal claims.

You can object to the use of your data for the purpose of direct advertising at any time; this also applies to profiling insofar as it is connected with direct advertising. In the event of objection, we will no longer be allowed use your data for the purpose of direct marketing.

5.8 Prohibition of automated individual decision-making/profiling (pursuant to Article 22 of the GDPR)

Decisions made by us that have legal consequences for you or a significantly negative impact on you must not be made exclusively on the basis of automated processing of personal data. This includes profiling. This prohibition does not apply if the automated decision

- is required in order to conclude or perform a contract with you,
- is permitted on the basis of legal provisions, provided that those legal provisions contain appropriate measures for protecting your rights, freedoms and legitimate interests, or
- is made with your express consent.

Decisions that are based exclusively on automated processing of *special categories of personal data* (= sensitive data) are only permitted if

- they are made on the basis of your express consent or
- there is a significant public interest in processing the data

and appropriate measures for protecting your rights, freedoms, and legitimate interests have been taken.

5.9 Exercising the rights of data subjects

For information on exercising the rights of data subjects, please refer to the body specified in 3.2. Requests submitted electronically will generally be answered electronically. The information, communications, and measures to be provided in accordance with the GDPR, including any exercising of rights of data subjects, will be provided at no charge as a general rule. We are only entitled to charge a reasonable fee for processing or refuse to act on a request in cases involving requests that are manifestly unfounded or excessive (pursuant to Article 12 (5) of the GDPR).

We may request that you provide additional information for identification purposes if we have reasonable doubts about your identity. If you are unable to provide us with identifying information, we will be entitled to refuse your request. If it is not possible to identify you, we will inform you separately if possible (see Article 12 (6) and Article 11 of the GDPR).

Requests for access and information are normally processed without delay; that is, within one month of the request being received. This time may be extended by a further two months if the complexity and/or number of requests means this is necessary. In the event of an extension, we will inform you of the reasons for the delay within one month of receiving your request. If we will not be acting on a request, we will inform you of the reasons for this without delay; that is, within one month of receiving the request. We will also inform you of the option to lodge a complaint with a supervisory authority or seek a judicial remedy (see Article 12 (3) and (4) of the GDPR).

Please be aware that your rights as a data subject can only be exercised within the context of the restrictions stipulated by the European Union or member states (Article 23 of the GDPR).