

This Data Privacy Statement applies to data processing activities carried out by:

**DRAHTWERK ELISENTAL W. Erdmann GmbH & Co.**

— hereinafter referred to as “Drahtwerk Elisental” or “we” —

represented by:

Theodor Wingen  
Werdohler Strasse 40  
58809 Neuenrade

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Our Data Protection Officer, Mr. Andre Schulte, can be contacted on [info@elisental.de](mailto:info@elisental.de).

**Collection and storage of personal data as well as type and purpose of their use**

We only process your personal data to the extent necessary for the purpose of deciding on the commencement of an employment relationship with us. The legal basis for this is art. 88 GDPR in conjunction with sect. 26 para. 1.1 Federal Data Protection Act (BDSG) 2018 as far as this concerns information, which we request within the scope of the application procedure (name, contact data, date of birth, information on your professional qualification and school education or information on your extended vocational training). If you voluntarily disclose further information to us, we will process it on the basis of your agreement (art. 6 para. 1 letter a GDPR).

Moreover, we may process your personal data to the extent necessary for the rejection of asserted legal claims from the application procedure against us. Legal basis for this is art. 6 para. 1 letter f GDPR, the legitimate interest, for example, is a burden of proof in a procedure according to the General Equal Treatment Act (AGG).

Should an employment contract be concluded between you and us, we may, according to sect. 26 para. 1.1 Federal Data Protection Act (BDSG) 2018, process the personal data received from you for any purposes related to the employment relationship if this is necessary for the execution or termination of the employment relationship or for the exercise or the fulfilment of the employees' trade association's rights and obligations resulting from a law or a labour agreement, a company- or work agreement (collective agreement).

**What categories of personal data do we process?**

We process data associated with your application. These are your general personal data (such as name, address and contact data, date of birth), information on your professional qualification and school education or information on your extended vocational training. In addition, we process any application photos made available to us.

**What categories of recipients of personal data are there?**

There will be no transfer of your personal data to third parties for other purposes than those mentioned below. We will only pass your personal data collected within the scope of the application procedure on to third parties if:

- you have given us your explicit consent to do so according to art. 6 para. 1.1 letter a GDPR, sect. 26 Federal Data Protection Act (BDSG) 2018,

- the transfer according to art. 6 para. 1 S. 1 lit. f GDPR is required for the assertion, exercise or defence of legal claims and if there is no reason to assume that you have an overriding and legitimate interest in the non-disclosure of your data,
- in the case that there is a legal obligation for the transfer according to art. 6 para. 1.1 letter c GDPR, and
- this is permitted by law and necessary for the conclusion or the execution of contractual relationships with you according to art. 6 para. 1.1 letter b GDPR, sect. 26 para. 1.1 Federal Data Protection Act (BDSG) 2018.

Furthermore, on the basis of art. 28 GDPR, your data will be transferred to technical service providers which use your data exclusively on our account and by no means for their own business purposes. These are IT service providers, hosting providers or providers of applicant management systems.

Your data will not be transferred to third countries outside the EU or the European Economic Area.

### **How long will your data be stored?**

We will store your personal data to the extent necessary to make a decision concerning your application. If an employment relationship between you and us does not materialise, we may continue to store data beyond that insofar as this is necessary for the defence against possible legal claims. In this context, application documents will be deleted six months after sending out the letter of refusal unless a longer-term storage is necessary due to legal disputes or, in individual cases, this has been explicitly agreed with you.

### **What rights do you have?**

You have the right:

- according to art. 15 GDPR, to request information on your personal data processed by us. In particular, you can request information on the purposes of processing, the category of personal data, the categories of recipients to whom your data have been or are disclosed, the planned storage period, the existence of a right to correction, deletion, restriction of the processing or objection, the existence of a right of appeal, the source of your data if they have not been collected by us, as well as the existence of an automated decision-making process including profiling and possibly conclusive information on any pertaining details.

We may only refuse to provide you with information if and insofar as, by providing this information, data are disclosed, which, according to a legal provision or their nature, particularly due to a third party's overriding legitimate interests, must be kept secret (sect. 29 para. 1.2 Federal Data Protection Act (BDSG), the responsible public body makes us aware that the disclosure of these data would jeopardise public order or security or otherwise be detrimental to the welfare of the state or a land (sect. 34 para. 1.1 Federal Data Protection Act (BDSG) in conjunction with sect. 33 para. 1.2 letter b BDSG), or the data are stored only because they must not be deleted due to any legal or statutory retention regulations, or only serve for the purpose of data security or privacy monitoring and the provision of information would involve a disproportionate effort and if processing for other purposes using suitable technical and organisational measures is impossible (sect. 34 para. 1.2 BDSG).

- to demand, according to art. 16 GDPR, the immediate correction of incorrect or the completion of your personal data stored in our system;
- to demand, according to art. 17 GDPR, the deletion of your personal data stored in our system, unless their processing is necessary for the exercise of the right to freedom of

expression and to information, for the fulfilment of a legal obligation, for reasons of public interest or for the assertion, exercise or defence of legal claims;

- to demand, according to art. 18 GDPR, the restriction of the processing of your personal data, insofar as the correctness of the data is contested by you, the processing is unlawful, though you oppose their deletion while we do not need the data any more, you, however, need them for the assertion, exercise or defence of legal claims or you have filed a complaint against the processing according to art. 21 GDPR;
- to receive, according to art. 20 GDPR, your personal data you provided to us, in a structured, conventional and machine-readable format or to demand the transfer to another responsible person;
- to recall, according to art. 7 para. 3 GDPR, your consent given to us at any time. This entails that we will not be allowed to continue the processing of the data, which this consent was based on, in the future,
- insofar as your personal data are processed on the basis of legitimate interests according to art. 6 para. 1.1 letter f GDPR, to file a complaint against the processing of your personal data according to art. 21 GDPR, insofar as there are reasons for this resulting from your special situation or the complaint is directed against direct advertising. In the latter case you have a general right of objection, which is implemented by us without the indication of a specific situation.

Moreover, you have a general right of complaint to the responsible data protection authority. The authority responsible for Drahtwerk Elisental is the data protection authority of North Rhine-Westphalia "[Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen \(LDI NRW\)](#)".

If you wish to exercise your right of revocation or objection, it is sufficient to send an email to [info@elisental.de](mailto:info@elisental.de).

### **Is it necessary to provide personal data?**

The provision of personal data is not legally or contractually prescribed, nor are you obligated to provide your personal data to us. However, the provision of personal data is necessary for the conclusion of an employment contract with us. This means that, if you do not provide your personal data to us when applying for employment, we will not be able to commence an employment relationship with you.

### **Are decisions made automatedly?**

There is no individual automated decision-making as set out in art. 22 GDPR, which means that we evaluate your application personally, and the decision on your application is not based exclusively on automated processing.

Last updated: January 2019