

Data privacy for external workers information sheet



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Transparency and the trustworthy handling of your personal data are an important basis for good cooperation. It is on this basis that we inform you about how we process your data in accordance with statutory data protection regulations

- if you work for one of our contractual partners as an employee or contractor.
- if we have a contract with you yourself, for example as an external worker or freelancer.

1. Who is responsible for data processing?

The controller is your contractual partner, or the contractual partner of your employer, client, or customer. In the latter cases, you will also receive the controller's contact information.

2. How do you contact the data protection officer?

You can contact our data protection officer by sending an e-mail to: datenschutz@laepple.com

3. Which of your personal data do we use?

We process your personal data to extent necessary to perform the contractor with you, your employer, or your customer or client. This includes the following data categories, for example:

Standard information:

- Name
- Business address
- Official contact information
(e.g. phone number, e-mail address)
- Employer or client/customer

Data for the use of our internet and communication technology systems:

- Passwords (encrypted)
- Logins
- Log files

Other information:

- Access data
- Photo if necessary

If we have a contract with you yourself:

- Your banking information
- Credit reports

4. What sources do we obtain data from?

We process personal data that we receive from you or your employer or customer/client within the context of performance of the contract.

If our contract is with you yourself, we receive personal data about you that is published in credit reports (e.g. creditreform) or publicly available sources (e.g. bankruptcy information, commercial register).

5. For what purposes do we process your data and on what legal basis?

a. Data processing to perform the contract

Data is primarily processed to enter into, perform, or terminate a contract with you, your employer, or your client or customer. The legal bases in these cases are Art. 6(1) a, b GDPR.

b. Data processing based on legitimate interests of the controller

- In certain cases, we process your data to protect a legitimate interest of our own or of a third party:
- to defend ourselves or a third party in legal disputes, especially for purposes of proof
- to protect the right to determine who shall be allowed or denied access and building security, as part of access control – along with billing reasons related to performance of the contract

- to ensure IT security
- monitoring bankruptcy proceedings
- credit reports for contractual partners
- evaluating the service provided by the contractor for any repeat business

The legal basis in these cases is Art. 6(1)f GDPR.

c. Automated decision-making, including profiling

Automated decision-making does not take place, including profiling.

6. To whom is your data disclosed?

In specific cases, the data is disclosed to other companies within the group, because these companies undertake specific internal tasks for all LÄPPLE AG locations. Furthermore, we do not disclose data to third parties unless compelled to do so by legal or official requirements.

7. Is your data transmitted to countries outside the European Union (third countries)?

Individual services are performed by carefully chosen service providers contracted to do so and who are located outside the European Union and European Economic Area (“third countries”), such as IT service providers. If these service providers require access to personal data in the course of rendering service, the transmission of data to third countries will always comply with Chapter V of the GDPR. In the absence of an adequacy decision by the European Commission in accordance with Art. 45 GDPR, we provide corresponding guarantees that an adequate level of data protection will be ensured. We sign contracts with data recipients that contain the standard data protection clauses, also known as “standard contractual clauses,” as part of our standard procedure. You may at any time request further information as well as copies of relevant sample agreements. Contact us using the details provided under point 1 or 2.

8. How long is your data stored for?

Your data will be erased when it is no longer needed for the purposes described in this data privacy statement, unless it goes against our legitimate interests to do so.

We are also subject to various documentation require-

ments and obligations to preserve records arising from the German Commercial Code (HGB) and the tax code (AO), among others. The periods of retention and documentation stipulated there are between two and ten years. Ultimately the period of retention of based on the statutory periods of limitation, which usually is three years, for example under sections 195 ff. of the German Civil Code (BGB), but in certain cases can be up to thirty years.

9. What rights do you have as a data subject?

a. Right to information

You may request confirmation from the controller as to whether personal data concerning you is being processed by us.

You also have the right to request information on whether personal data concerning you is transferred to a third country or to an international organization. In this context, you may request to be informed about the appropriate safeguards pursuant to Article 46 GDPR in connection with the transfer.

b. Right to rectification

You have a right of rectification and/or completion vis-à-vis the controller, insofar as the personal data processed concerning you is inaccurate or incomplete. The controller shall make the correction without undue delay.

c. Right to restriction of processing

Under the conditions stipulated in the GDPR, you may request the restriction of the processing of personal data concerning you.

d. Right to erasure

You may request the controller to erase personal data concerning you without delay, and the controller shall be obliged to delete such data without delay, if no legal exemption applies.

e. Right to data portability

You have the right to have the personal data concerning you, that you have provided to the controller and the processing of which is based on your consent or a contract with you, provided to you in a structured, commonly, and machine-readable format. You also have the right, under the conditions stipulated in the GDPR, to transmit this data – where technically feasible – to another controller without hindrance from the controller to whom the personal data was provided. Freedoms and rights of other persons must not be affected by this.

f. Right to revoke the declaration of consent under data protection law

You have the right to revoke your declaration of consent under data protection law at any time. The withdrawal of consent shall not affect the lawfulness of the processing carried out on the basis of the consent until the time of withdrawal. This also applies to the withdrawal of declarations of consent you gave to us before the GDPR went into effect on May 25, 2018. All personal data stored on the basis of consent will then be erased, as long as there is no other legal basis for continuing to store it according to the law

g. Exercising your rights

To exercise your rights above, contact us using the details provided under point 1 or 2.

h. Right of objection

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you that is carried out on the basis of Article 6(1)e or f GDPR; this also applies to profiling based on these provisions.

To object, please contact us using the details provided under point 1 or 2.

i. Right to lodge a complaint with a supervisory

Regardless of any other administrative or legal remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your residence, place of work, or the place of the alleged infringement, if you are of the opinion that the processing of personal data relating to you infringes the GDPR. The supervisory authority to which the complaint has been lodged shall inform the complainant of the status and outcome of the complaint, including the possibility of a legal remedy under Article 78 GDPR. Please see the address of the supervisory authority responsible for us below to make it easier to exercise your rights: State commissioner for data protection and freedom of information

Baden-Württemberg state commissioner for data protection and freedom of information

<https://www.baden-wuerttemberg.datenschutz.de>

The Baden-Württemberg state commissioner for data protection and freedom of information:

Postfach 10 29 32

70025 Stuttgart

E-mail: poststelle@lfdi.bwl.de

Bavaria state commissioner for data protection and freedom of information:

<https://www.lida.bayern.de/>

Bayerisches Landesamt für Datenschutzaufsicht

(BayLDA) Postfach 1349

91504 Ansbach Deutschland

10. Are you obliged to provide your personal data?

The provision of personal data is generally required for contractual reasons or is necessary to enter into a contract. If you do not provide data, performing a contract properly is generally.