

Mandatory information according to Art. 12 ff. GDPR for the processing of applicant data

As of: 22.06.2023

Contact details of the data controller

The controller responsible for processing your data is the respective MVI Group company to which you are applying. The contact details of these companies can be found in the job advertisement in the applicant management system. You can find the respective addresses in Appendix 1 of this data protection notice.

Contact details of the data protection officer

Company: BerIsDa GmbH
Address: Rangstraße 9, 36037 Fulda, Germany
Phone: +49 661 296 980 90
E-Mail: datenschutz@berisda.de

Note: The appointment of BerIsDa GmbH as data protection officer does not apply to MVI HELLAS I.K.E.

What personal data do we collect and where do we obtain it?

- Your master data (such as first name, last name, name affixes, date of birth)
- If applicable, work permit / residence title
- Contact data (such as private address, (mobile) phone number, e-mail address)
- Skill data (e.g., special knowledge and skills)
- Certificate of good conduct, salary requirements
- insurances
- if relevant for the advertised position: health suitability
- Further data from the application documents or the applicant management system

Your personal data is generally collected directly from you as part of the recruitment process, from the application documents, the applicant management system and the interview.

Furthermore, we may process personal data from publicly accessible sources, e.g., websites, professional networks, which we use permissibly and only for the respective purpose.

Furthermore, we receive data from third parties (e.g., employment agencies, recruiters).

Purposes and legal bases of processing

The personal data you provide will be processed in accordance with the provisions of the General Data Protection Regulation (GDPR) and the Federal Data Protection Act-new (BDSG-new):

- **Due to the establishment of the employment relationship:**
First and foremost, the data processing serves to establish the employment relationship. The primary legal basis for this is Art. 88 para.1 GDPR in conjunction with §26 para.1 BDSG-new.
- **Based on consent (pursuant to Art. 6 para. 1 lit. a GDPR)**
The purposes of the processing of personal data result from the granting of consent. Consent granted can be revoked by you at any time with effect for the future. Consents granted before the applicability of the GDPR (May 25, 2018) can also be revoked. Processing that took place before the revocation remains unaffected by the revocation.

If, in the event of rejection, you would like to be included in the applicant pool of the respective MVI Group company to which you have applied, we require a declaration of consent from you.

If your application is to be considered for other vacancies within the group of companies, we require a declaration of consent from you.

Who receives the personal data you provide?

Within the company to which you are applying, those departments will have access to the personal data you have provided that are involved in the decision about your employment.

MVI Group GmbH provides data processing for application procedures as a processor for the MVI Group companies listed in Appendix 1.

Within the scope of its service provision, the MVI Group GmbH shall commission processors who contribute to the fulfilment of its duties. The MVI Group GmbH shall cooperate with service providers, such as service providers for IT maintenance services (so-called order processors). These service providers shall only act on the instructions of MVI Group GmbH and are contractually obliged to comply with the applicable data protection requirements. To this end, we conclude corresponding order processing contracts with these service providers in writing. This is a contract prescribed by data protection law which ensures that our service providers only process the personal data of our employees in accordance with our instructions and in compliance with the provisions of data protection law (DSGVO, BDSG, etc.).

SmartRecruiters, Inc, 225 Bush Street, Suite #300, San Francisco CA 94104 US, represented by SmartRecruiters GmbH, Winsstr. 62/63, 10405 Berlin Germany, is used as the order processor/sub-processor for the applicant management system. MVI Group GmbH has concluded an order processing contract/EU standard contractual clause with this company.

Will the data you provide be transferred to third countries or international organizations?

In the case of data transfer to third countries, compliance with the level of data protection is ensured by the conclusion of a data protection law contract (e.g., EU standard contractual clauses).

Does automated decision making including profiling take place?

No fully automated decision-making (including profiling) pursuant to Art. 22 GDPR is used to process the data you have provided.

Duration of processing (criteria for deletion)

In the event of employment, we will transfer your application documents to your personnel file. After termination of the employment relationship, we will continue to store those personal data that we are legally obligated to retain. This regularly results from legal obligations to provide proof and to retain data, which are regulated, among other things, in the German Commercial Code (Handelsgesetzbuch) and the German Fiscal Code (Abgabenordnung). The storage periods are then up to ten years. In addition, personal data may be retained for the period during which claims can be asserted against us (statutory limitation period of three or up to thirty years).

In the event of rejection, your application documents will be deleted 6 months after completion of the application process, unless you have given us permission to keep them for longer (applicant pool). If you have applied for several positions, the deletion period of 6 months per position applies.

Processing safety

We take all necessary technical and organizational security measures to protect your personal data from loss and misuse. For example, your data is stored in a secure operating environment that is not accessible to the public. We only use personnel who are regularly sensitized and trained and who are committed to confidentiality. We regularly adapt our technical and organizational security measures to the state of the art.

Information about your rights

- **Right to rectification** according to Art. 16 GDPR:

You have the right to request the controller to correct your inaccurate personal data without undue delay. 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.

- **Right to erasure ("right to be forgotten")** according to Art. 17 GDPR:

You have the right to request the data controller to delete your data immediately. The controller is obliged to delete personal data immediately if one of the following reasons applies:

- a) Purposes for which the personal data were collected cease to exist
- b) You revoke your consent to the processing. There is no other legal basis for the processing
- c) You object to the processing. There is no other legal basis for the processing
- d) The personal data have been processed unlawfully
- e) The deletion of the personal data is necessary for compliance with a legal obligation under Union or Member State law to which the controller is subject
- f) The personal data have been collected in relation to information society services offered in accordance with Article 8 para. 1

- **Right to restriction of processing** pursuant to Art. 18 GDPR & § 35 BDSG-new:

You have the right to request the restriction of processing if one of the following conditions is met:

- a) The accuracy of the personal data is doubted by you
- b) The processing is unlawful; however, you refuse erasure
- c) Personal data is no longer needed for the purposes of processing; however, you need the data to assert, exercise or defend legal claims
- d) You have lodged an objection against the processing pursuant to Art. 21 (1) BDSG. If it has not been determined whether the legitimate grounds of the controller prevail over yours, the processing will be restricted

- **Right to data portability** according to Art. 20 GDPR:

You have the right to receive the data provided by you in a structured, common and machine-readable format from the responsible party. A forwarding to another responsible person may not be hindered by us.

- **Right of objection** according to Art. 21 GDPR:

You have the right to object to processing within the scope of Art. 21 GDPR, insofar as the data processing is carried out for the purpose of direct marketing or profiling. You can object to processing based on a balance of interests by stating reasons that arise from your situation. To do so, please contact the controller of the processing (see Appendix 1).

- **Right to complain** to the supervisory authority pursuant to Art. 13 para. 2 lit. d, 77 GDPR in conjunction with § 19 BDSG-new:

If you believe that the processing of your data violates the GDPR, you have the right to lodge a complaint with the supervisory authority. For this purpose, please contact the competent supervisory authority.

Please refer to Appendix 1 for the supervisory authority responsible for the respective company.

- **Withdrawal of consent** pursuant to Art. 7 para. 3 GDPR:

If the processing is based on your consent pursuant to Art. 6 para. 1 lit. a or Art. 9 para. 2 lit. a (processing of special categories of personal data), you are entitled to withdraw the purpose-bound consent at any time without affecting the lawfulness of the processing carried out based on the consent until the withdrawal.

Appendix 1

Company: MVI Group GmbH

Name: Christian Hirsch
Address: Candidplatz 11, 81543 München
Phone: +49 89 / 614 697 0
Email: info@mvi-group.com
Authority: Bayerisches Landesamt für Datenschutzaufsicht (BayLDA).

Company: MVI SOLVE-IT GmbH

Name: Ludwig Bayer
Address: Knorrstraße 135, 80937 München
Phone: +49 89 / 318 130
Email: info@solve-it-mvi.com
Authority: Bayerisches Landesamt für Datenschutzaufsicht (BayLDA).

Company: MVI Group AUTOMOTIVE GmbH

Name: Marius Krause
Address: Hufelandstraße 7a, 80809 München
Phone: +49 89 / 693 3290 0
Email: info@automotive-mvi.com
Authority: Bayerisches Landesamt für Datenschutzaufsicht (BayLDA).

Company: MVI PROPLANT Süd GmbH

Name: Dr. Niklas Hering, Dirk Tapella
Address: Candidplatz 11, 81543 München
Phone: +49 89 / 127 11 504-0
Email: stuttgart@proplant-mvi.com
Authority: Bayerisches Landesamt für Datenschutzaufsicht (BayLDA).

Company: MVI PROPLANT Nord GmbH

Name: Axel Sparnicht, Dirk Tapella
Address: Dieselstrasse 33, 38446 Wolfsburg
Phone: +49 5361 / 89 383 0
Email: wolfsburg@proplant-mvi.com
Authority: Landesbeauftragte für den Datenschutz Niedersachsen (LfD)



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Company: MVI Hellas I.K.E.

Name: Ludwig Bayer, Stefan Lohr

Address: Egnatia 154, 54636 Thessaloniki, Greece

Email: info@mvi-hellas.com