

# data protection information for applicants

## in accordance with Art. 13 and 14 of the General Data Protection Regulation (GDPR)

Data protection is important to us. The following information explains how we use your personal data and outlines your rights.

### 1. Entity responsible for data processing and contact person

Gimmi GmbH  
Carl-Zeiss-Straße 6  
78532 Tuttlingen

Tel: +49 7461 96 59 00  
E-Mail: [contact@gimmi.de](mailto:contact@gimmi.de)

CEO: Dr. Matthias Schmidt

### 2. Contact details of the Data Protection Officer (DPO)

Bernd Knecht  
Rotdornweg 7  
73230 Kirchheim /Teck

Tel: +49 7021 487 628  
E-Mail: [datenschutz@gimmi.de](mailto:datenschutz@gimmi.de)

### 3. Purpose and legal basis on which we process personal data

We process all personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the German Federal Data Protection Act (GFDPA) and other relevant data protection regulations. Our contract documents, forms, consent forms and other information provided to you (e.g. on our website) contain further details and more information on why we collect data in those specific instances.

#### 3.1 for the establishment of employment (Art.88 GDPR in connection with §26 para.1 GFDPA)

We process your personal data for the purpose of handling the application process with the aim of concluding an employment contract with you in the event of suitability and corresponding selection by us. The data is also processed electronically. This is particularly the case if you send us your application documents electronically, for example by e-mail or via a contact form on the website.

#### 3.2 Consent (Art.6 para.1 (a) GDPR)

If you have consented to the processing of personal data, this consent will form the legal basis on which this data will be processed in that specific instance. You have the right to withdraw this consent at any time with future effect.

#### 3.3 Compliance with legal obligations (Art.6 para.1 (c) GDPR)

We process your personal data where required for compliance with a legal obligation.

#### 3.4 Legitimate interests pursued by us or a third party (Art.6 para.1 (f) GDPR)

We may furthermore use your personal data where necessary based on a weighing of interests to pursue our or a third party's legitimate interest. We may do so for the following purposes:

- as part of a visitor registration in connection with a personal visit to our premises.
- for the communication with recruitment agencies and headhunters, if they are involved in the application process.
- for the enrichment of data by information freely available on the Internet i.e. social media platforms. In addition, we use your data to obtain information and exchange data with credit

agencies if the signing of the contract entails a correspondingly high economic risk for our company.

- for storing limited amount of your data if it is not possible to delete this data because of the particular way it has been stored or if deleting it (e.g. from an email archive) would require disproportionate expense.
- for enforcing legal claims and as evidence in legal disputes that are not directly related to our contractual relationship with you.

#### **4. Categories of personal data we process**

We process the following data:

- Personal details (name, job title/position in company/sector and similar information)
- Contact details (address, email address, telephone number and similar information)
- Application documents (such as, e.g. CV, certificates, certificates of professional competence, references)
- All of the information you provide to us in relation to your application

#### **5. Who will get to see your data?**

Within our company, we only provide your personal data to the bodies and persons who need this data in order to carry out the application process and fulfil our legal obligations or to pursue our legitimate interests. These bodies and persons primarily constitute the management board, head of departments, department managers and team leaders. In exceptional cases, we may also involve team members in the selection process.

In addition to those, your information may also be passed on to the following:

- Processors used by us (Art. 28 GDPR), service providers who provide associated services and other persons responsible in the meaning of the GDPR, in particular in the areas of IT services, logistics, courier services, printing services, external data processing centers, IT application support/maintenance, archiving, document processing, accounting and controlling, data destruction, purchasing/procurement, customer management, mailing services, marketing, telephony, website management, tax accountancy, auditing services, credit institutions
- The owner(s) of the company
- Public authorities and institutions if there is a legal or official requirement to provide, report or pass on information or if it is in the public's interest to disclose information
- Bodies and institutions on the basis of our or a third party's legitimate interest (e.g. authorities, credit agencies, debt collection agencies, lawyers, courts, experts and supervisory bodies)
- Other bodies that you have authorized us to provide with your data

#### **6. Transfer of personal data to a third country or international organization**

In the context of the use of Software as a Service, Infrastructure as a Service and IT services, subcontracted processors based outside the EU may process personal data. An appropriate level of data protection is ensured through contractual as well as technical and organizational measures. As a rule, we or our sub-processors agree on the EU standard contractual clauses, if necessary with supplementary guarantees for the protection of your data.

Your data may also be transferred to the owner(s) abroad. For the transfer to Vitalmex in Mexico, this is based on a standard EU contract (Standard Contractual Clauses – SCC), which also contains supplementary guarantees for the protection of your data.

Please contact our data protection officer (see point 2) if you would like to know more about the basis for transferring your data to other countries.

## 7. How long we'll keep your information?

We store your personal data for as long as is necessary for the decision on your application. Your data will be deleted no later than six (6) months after the end of the application process. We may continue to store data beyond this insofar as this is necessary for the defense against possible legal claims. The inclusion of your documents in an applicant pool, which remains stored for longer than 6 months, is based exclusively on your consent.

## 8. To what extent is there automated decision-making in individual cases (including profiling)?

We do not use any purely automated decision-making processes in accordance with Art.22 GDPR. If we intend to use such a procedure in the future, we will inform you of this separately in advance within the framework of the legal requirements.

## 9. Your data protection rights

We have defined processes within our company so that you can exercise your rights with us. You have a right to,

- **revoke consent** at any time with effect for the future (**Art.7 para.3 GDPR**)
- to **receive information (Art.15 GDPR)** about your data stored by us
- that incorrect data about you will be **corrected** by us (**Art.16 GDPR**)
- that data about you that is no longer required will be **deleted** from us (**Art.17 GDPR**)
- that under certain conditions the processing of your data is **restricted (Art.18 GDPR)**. This may be the case, for example, if deletion is not possible, but the data may not be further processed
- that your data is **transferable (Art.20 GDPR)**. This right applies in particular if you have given your consent to the processing of your data or if the processing of the data is necessary to fulfill a contract. The right to data portability does not exist insofar as your data is not processed with automated procedures
- **to object to the further processing of your personal data in a special situation (Art.21 GDPR), insofar as the processing is based on the legitimate interest (Art.6 para.1 (f) GDPR) as well as in the case of profiling based thereon. You may also object at any time if the data is used for direct marketing purposes (Art.21 para.2 GDPR)**
- to **complain** to a supervisory authority (**Art.77 GDPR**) if you are of the opinion that the processing of your data violates the legal requirements. The supervisory authority responsible for us is:

Der Landesbeauftragte für den Datenschutz und  
die Informationsfreiheit Baden-Württemberg (LfDI-BW)  
Lautenschlagerstraße 20  
70173 Stuttgart

If you wish to exercise any of the rights, please contact the data controller or the data protection officer. You can find the contact details under point 1 and 2 of this privacy policy.

## 10. Scope of the data you are required to provide

You only need to provide the data that is required for the application process or that we are legally obligated to collect. Without this data, we will generally not be able to carry out the application process and establish an employment relationship with you. Should we ever request any data in excess of this essential data, we will specifically make you aware of the fact that provision of such data is voluntary.

## **11. Date and last update of this data policy**

This data policy is dated 12th April 2023. We reserve the right to update this data policy in due course in order to improve data protection and/or to adapt it to changes in administrative practice or jurisdiction.