

Information about our data processing according to Art. 13 & 14 GDPR Applicants

The following statement explains our practices regarding the collection, use and disclosure of your personal data throughout our application procedures. Furthermore, we inform you about your data subject rights.

State: September 2020

1. Controller

MDESIGN Vertriebsgesellschaft mbH (below „we“, „us“, „MDESIGN“ or „MDESIGN GmbH“)

Königsallee 45

44789 Bochum

Germany

Phone: +49 234 30703-60

Fax: +49 234 30703-69

Email: info@mdesign.de

2. Data Protection Officer

To exercise your data subject rights - **described under point 9** - please contact our Data Protection Officer. You may contact him by post to the above mentioned address with the suffix „Data Protection Officer“, by phone at +49 234 30703-28 or by email at privacy@mdesign.de.

3. Origin of personal data

We process personal data, which we receive within the first contact or rather within your application via post or email. We might also process personal data from other sources (e.g. personnel service provider or publicly accessible sources on the internet).

4. Categories of personal data

MDESIGN collects and stores all data which are available from your application. This includes inter alia

- General data: e. g. first name, last name
- Contact data: e. g. address, phone number, email
- Application documents: e. g. cover letter, curriculum vitae, references, previous work experiences, certifications
- Other: e. g. requested salary, desired type of work, earliest possible entrance date and the communication between you and us during the application process

5. Purposes of processing

5.1 Initiation, performance and termination of contracts

MDESIGN processes personal data where required for the decision and establishment of an employment relationship or after the establishment for the performance and/or termination or to exercise obligations laid down by law, by collective agreements or by a work agreement. Legal basis of the processing is Art. 6 paragraph 1 letter (b) GDPR and Art. 88 GDPR in conjunction with § 26 BDSG (new).

5.2 Compliance with legal obligations

MDESIGN processes personal data to fulfill legal obligations to which we are subject. Furthermore we can process personal data as far as this is necessary for the defence of any legal claim arising from the application process.

Legal basis of the processing is Art. 6 paragraph 1 letter (c) and (f) GDPR.

6. Recipients of personal data

Within the MDESIGN GmbH those employees have access to your personal data who need the data to fulfill our contractual and legal obligations or for the implementation of our legitimate interests. If necessary we transfer your personal data to our partner companies as far as this is permitted for the purposes and legal bases described under point 5. These partners include the following companies:

- TEDATA GmbH
- DriveConcepts GmbH

Personal data can be transferred to public authorities and to law enforcement authorities if this is necessary for the above mentioned purposes, for legal obligations or for the protection of our legitimate interests in accordance with common law.

7. Transfer abroad

We do not intend to transfer your personal data to a third country or an international organisation.

8. Period of storage

MDESIGN stores your personal data as long as this is necessary for the decision about your application. Your personal data or rather your application documents will be stored maximum 6 months after the termination of the application process (e. g. announcement of the cancellation) as long as a longer legal storage is not necessary. Furthermore we save your personal data only so far as this is necessary for the assertion, exertion or defence of legal claims for the period of a legal dispute.

In case you give us your consent for a longer storage of your personal data, we store your data according to this consent. In case of an employment relationship after the application process we will continuously store and transfer your data into the personnel file, as long as necessary and permitted.

9. Data subject rights

9.1 Access (Art. 15 GDPR)

You have the right to obtain from us whether or not personal data are being processed and where that is the case which data we process.

9.2 Rectification (Art. 16 GDPR)

You have the right to obtain from us the rectification of inaccurate personal data or the completion of incomplete personal data.

9.3 Erasure (Art. 17 GDPR)

You have the right to obtain from us the erasure of personal data concerning you if one of the grounds in Art. 17 paragraph 1 letter (a) till (f) GDPR applies. Exception: The processing is necessary to fulfill legal obligations or for the assertion, exertion or defence of legal claims.

9.4 Restriction (Art. 18 GDPR)

You have the right to obtain from us the restriction of processing your personal data if one of the conditions in Art. 18 paragraph 1 letter (a) till (d) is given.

9.5 Data portability (Art. 20 GDPR)

You have the right to receive the personal data concerning you, which you provided us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance.

9.6 Object (Art 21 GDPR)

You have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal data which is based on letter (e) or (f) of Article 6 paragraph 1 GDPR, including profiling based on those provisions. If you object, we will only process your personal data if we can prove compelling legitimate reasons that outweigh your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims.

10. Complaint with a supervisory authority (Art. 77 GDPR)

If you consider that the processing of your personal data through us infringes applicable law, you have the right to lodge a complaint with the supervisory authority. In general the following authority is responsible for us:

Landesbeauftragte für Datenschutz und
Informationsfreiheit Nordrhein-Westfalen
Kavalleriestr. 2-4
40213 Düsseldorf
Germany
Phone: +49 211 38424-0
Fax: +49 211 38424-10
Email: poststelle@ldi.nrw.de