

DATA PROTECTION INFORMATION FOR APPLICANTS TO **JANOSCHKA AG, JANOSCHKA HOLDING GMBH, JANOSCHKA DEUTSCHLAND GMBH, LINKED2 GMBH, LINKED2BRANDS GERMANY GMBH**

Information on data protection relating to our processing of applicant data under Articles 13, 14 and 21 of the EU General Data Protection Regulation (GDPR)

Dear Applicant,

Thank you for your interest in our company. In accordance with the requirements of the General Data Protection Regulation (GDPR), we hereby inform you about the processing of personal data collected about you during our application process as well as about your rights under data protection law in this regard. To make sure that you are fully informed about the processing of your personal data during the application process, please note the following information.

1 - Data controller

The controller, according to Article 4(7) GDPR and applicable country-specific data protection regulations, is the company to which you have sent your application:

Janoschka AG
 Mattweg 1 | D-77971 Kippenheim
 Tel: +49 (7825) 849-0 | e-mail: info@janoschka.com

Janoschka Holding GmbH
 Mattweg 1 | D-77971 Kippenheim
 Tel: +49 (7825) 849-0 | e-mail: holding@janoschka.com

Janoschka Deutschland GmbH
 Mattweg 1 | D-77971 Kippenheim
 Tel: +49 (7825) 849-0 | e-mail: deutschland@janoschka.com

Linked2 GmbH
 Osterfeldstraße 90 | D-85737 Ismaning
 Tel: + 49 (7825) 92991-600 | e-mail: info@linked.global

Linked2Brands Germany GmbH
 Mattweg 4 | D-77971 Kippenheim
 Tel: + 49 (7825) 92991-600 | e-mail: info@linked.global

For general enquiries regarding data protection at the Janoschka companies, please write to datenschutz@janoschka.com

For general enquiries regarding data protection at the Linked companies, please write to datenschutz@linked.global

You can reach our **data protection officers** by post at the above addresses by adding - Data Protection Officer - or by e-mail at datenschutzbeauftragter@janoschka.com or Datenschutzbeauftragter@linkel.global, respectively.

2 - Which data and sources do we use?

We process personal data that we have received from you in the course of establishing contact or your application by post or e-mail.

The categories of personal data processed are limited to data relating to your application. This can be general personal data (first name, surname, name extensions, etc.), contact details (such as private address, (mobile) telephone number, e-mail address, etc.), information on your professional qualifications and schooling, information on your professional development and, if applicable, other data that you send us in connection with your application.

Special categories of personal data, such as health data, may also be included.

3 - What do we process your data for (purpose of processing) and on what legal basis?

3.1 Processing for compliance with contractual obligations (Article 6(1)(b) GDPR)

We process your personal data in accordance with the provisions of the GDPR, the German Federal Data Protection Act (BDSG), and any and all other relevant laws, to the extent that these data are needed for the decision on entering into an employment relationship. The primary legal basis in this respect is Article 6(1)(b) GDPR in conjunction with § 26 BDSG.

In accordance with Article 88 GDPR in conjunction with § 26 BDSG, we may further process personal data you have previously provided as part of an application process for the purposes of the employment relationship, to the extent that this is required for the commencement, management or termination of the employment relationship or for exercising or meeting the rights and obligations of employee representation arising from a law, a wage agreement or a collective agreement.

3.2 Processing due to legal requirements (Article 6(1)(c) GDPR) or in the public interest (Article 6(1)(e) GDPR)

We also process your data in order to fulfil our legal obligations, in particular in the area of tax and social security law. This is done on the basis of Article 6(1)(c) GDPR in conjunction with § 26 BDSG.

In addition, the European Anti-Terrorism Regulations 2580/2001 and 881/2002 require us to compare your data with the so-called "EU terrorist lists" in order to ensure that no funds or other economic resources are made available for terrorist purposes.

3.3 Processing in the context of balancing of interests (Article 6(1)(f) GDPR)

Where necessary, we also process your data on the basis of Article 6(1)(f) GDPR in order to protect the legitimate interests of ourselves or third parties (e.g. public authorities). This includes defence against legal claims asserted against us. Such a legitimate interest may be, for example, a burden of proof in proceedings under the General Equal Treatment Act (AGG).

Data processing may further be carried out for statistical purposes.

3.4 Processing based on your consent (Article 6(1)(a) GDPR)

If you give us your express consent to process your personal data for specific purposes, the lawfulness of this processing is established on the basis of your consent in accordance with Article 6(1)(a) GDPR in conjunction with § 26(2) BDSG. Consent given may be revoked at any time, with effect for the future (see also item 8 of this data protection information).

3.5 Special categories of personal data

To the extent that special categories of personal data are processed in accordance with Article 9(1) GDPR, this serves to meet legal obligations under labour law, social security law and social protection (e.g. recording of severe disabilities) when establishing an employment relationship. The relevant legal basis is Article 9(2)(b) GDPR in conjunction with § 26(3) BDSG.

Should we wish to process your personal data for a purpose not stated above, we will inform you in advance.

4 - Who receives my data?

Within our company, access to your data is only granted to those who need them to fulfil our contractual and legal obligations or to exercise our legitimate interests.

We may transfer your personal data to companies affiliated with us to the extent permitted with respect to the purposes and legal bases set out in item 3 of this data protection information.

We will only pass on information about you beyond our company if this is permitted or required by statutory or official notification obligations (e.g. in relation to criminal prosecution authorities), if such a transfer is required to meet legal obligations, if you have given your consent or if we are authorised to provide the information.

Your personal data are typically processed on our behalf on the basis of processing contracts in accordance with Article 28 GDPR. In these cases we ensure that the data are processed in accordance with the provisions of the GDPR.

5 - Are data transferred to a third country or to an international institution?

Transfer to a third country or to an international institution is not envisaged.

6 - For how long will my data be stored?

We process your personal data for as long as this is required to reach a decision on your application. Your personal data and/or application documents will be destroyed within six (6) months of the end of the application process (e.g. date of a negative reply), unless storage for a longer period of time is required or permitted by law.

Furthermore, we will process your personal data only to the extent required by law or in specific cases to assert, exercise or defend a legal claim for the duration of a legal dispute.

In the event that you have agreed to a longer storage period for your personal data, we will store them in accordance with your declaration of consent.

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If an employment, training or internship relationship arises as a result of the application process, your data will continue to be stored as far as necessary and permissible and then be transferred to our personnel records.

Following the application process, you may receive an invitation to join our talent pool. This allows us to take you into account when selecting applicants for suitable future vacancies. If we obtain your consent, we will store your application data in our talent pool in accordance with your consent and/or any future consent you may give.

7 - What data protection rights do I have?

You can request information about your stored personal data at the above address (Article 15 GDPR). Furthermore, you can demand correction if we have stored incorrect personal data about you (Article 16 GDPR). In addition, under certain conditions you can request the erasure of your data (Article 17 GDPR) or exercise the right to object (Article 21 GDPR). You also have the right to restrict the processing of your personal data (Article 18 GDPR) and the right to have your data released (Article 20 GDPR). The right to information and the right to erasure are subject to the restrictions set out in §§ 34 and 35 BDSG.

In addition, you have the right to complain to the State Commissioner for Data Protection and Freedom of Information, Königstraße 10a, D-70173 Stuttgart (Article 77 GDPR in conjunction with § 19 BDSG). This right to complain is without prejudice to any other administrative or judicial remedy.

If the processing of your data is based on your consent, you are entitled to revoke this consent to the use of your personal data at any time in accordance with Article 7 GDPR. Please note that such revocation is only effective for the future. Processing operations carried out prior to the revocation are not affected. Please also note that we may need to retain certain data for a certain period of time to comply with legal requirements.

8 - Information about your right to object under Article 21 GDPR

You have the right to object at any time, for reasons arising from your particular situation, to the processing of personal data concerning you that is carried out on the basis of Article 6(1)(e) GDPR (data processing in the public interest) and Article 6(1)(f) GDPR (data processing based on a balancing of interests); this also applies to profiling within the meaning of Article 4 No 4 GDPR based on this provision.

If you object, we will no longer process your personal data unless we can prove compelling reasons for processing that are worthy of protection and outweigh your interests, rights and freedoms, or if the processing serves to assert, exercise or defend legal claims.

To assert your rights, you are welcome to use the contact details given in item 1.

9 - What happens if I do not provide my data?

The provision of personal data as part of the application process is not required by law or contract. You are therefore not obliged to share your personal data. Please note, however, that we need these data in order to reach a decision on your application and/or to establish an employment relationship. If you do not provide us with any personal data, we will not be able to process your application. We recommend that you provide only such personal data in your application as are necessary for the application process.

10 - Automated decision-making

Since the decision on your application is not based exclusively on automated processing, no automated decision is made in individual cases within the meaning of Article 22 GDPR.