

Privacy Statement

We take the protection of our employee's personal data and the confidential treatment thereof very seriously. This is why we make this document available to you in order to inform you about the processing of your personal data and the rights to which you are entitled while you work for us. The processing of your personal data is implemented solely in the context of the applicable statutory provisions pertaining to data protection law, in particular, the General Data Protection Regulation (hereinafter referred to as "GDPR") and the Bundesdatenschutzgesetz [*German Federal Data Protection Act*] in the version as amended on 25 May 2018 („BDSG“).

I. Who is the controller that is responsible for the data processing and who is the data protection officer?

The controller that is responsible for the data processing is:

TGE Gas Engineering GmbH

Mildred-Scheel-Str. 1

D-53175 Bonn

telephone: +49 228 60448 900

e-mail: jobs@tge-gas.com

You can contact our data protection officer at:

Boris Reibach

Scheja und Partner Rechtsanwälte mbB

Adenauerallee 136

D-53113 Bonn

Germany

telephone: +49 228-227 226 0

<https://www.scheja-partner.de/kontakt/kontakt.html>

II. What is the subject matter of data protection?

The subject matter of data protection is personal data. This includes any information relating to an identified or identifiable natural person (who is called a "data subject"). For example, this includes specifications such as the name, postal address, e-mail address, or telephone number.

III. Which of your personal data do we process?

In the context of the application procedure, we only process the personal data of yours which are pertaining to your application and which are necessary for the purpose of determining your professional and personal skills with respect to the position that is to be filled. To be precise, these are:

- Contact details, including your name, your private address, your private telephone number
- Data pertaining to your origin, including your nationality and your citizenship, place of birth, and date of birth
- Data pertaining to your qualification/education
- Data pertaining to training programmes and additional qualifications, if any
- Certificates
- Experience and knowledge

The data processing also affects special categories of personal data, for example

- Religious affiliation
- Severe disability

if you have provided such information.

The extent of the personal data is determined by you by means of submitting your data.

This also applies to other personal data transmitted by you.

We complete your application documents in the course of the application process with other data:

- Notes about the course of the interview
- Information relating to the profession that was made public, e.g., profile information in business-related social media networks (e.g., Xing).

IV. For which purposes do we process the data and what is the legal basis for this?

Below, we provide an overview on the purposes and legal bases of the processing of your personal data in the context of the application process in our company:

1. Data processing for purposes relating to the employment

We process your personal data, which we receive from you for the processing of your application for a specific advertisement of a vacancy or as part of an unsolicited application, exclusively for the purpose of deciding whether an employment relationship will be established.

The legal basis for the processing of your data is Article 88(1) of the GDPR in conjunction with Section 26 Subsection 1 Sentence 1 of the BDSG, according to which personal data of employees may be processed for employment-related purposes if this is necessary for the purpose of deciding whether an employment relationship will be established.

Your personal data which constitute special categories of personal data (please see Number III) are processed by us on the basis of Article 88(1) of the GDPR in conjunction with Section 26 Subsection 1 Sentence 3 of the BDSG. We only process such data if they are necessary for the exercise of rights or for the performance of legal obligations under employment law, the law of social security, and social protection, or if you have explicitly given consent with respect to these data and there is no reason to assume that your protected interest in the exclusion of the processing prevails. This is in particular relevant in the following cases:

- assessment of the working capacity
- exercise of occupational health and safety
- payment of church tax

The employment data we have were provided by you as part of your application.

We delete the data when they are no longer required for our purposes of preparing, performing, or terminating the employment contract and when no other legal bases, in particular statutory or contractual periods of retention, apply.

If an employment relationship is established between you and us, we may continue to process the personal data we have already received for purposes relating to the employment relationship in accordance with Article 88(1) of the GDPR in conjunction with Section 26 of the BDSG, provided that this is necessary for the performance or the termination of the employment relationship or for the exercise or fulfilment of the rights and obligations of the representation of employee's interests arising from a statutory provision or a collective bargaining agreement, a works council agreement, or a collective agreement. In that case, we will notify you by means of a separate notification.

2. Consent

We process your personal data also on the basis of your declaration of consent, namely, when we are currently unable to consider your application, but may consider it for other positions in our company which, according to our assessment based on the personal data you submitted, correspond with your education, your knowledge, and your experience. The purpose arises from the content of such consent that was declared in each case.

The data processing is implemented on the basis of Article 6(1)(a) of the GDPR.

In cases in which you have to provide data for this, we will explicitly point this out to you. Without such provision, we would be unable to comply with your request to which the consent relates. You may withdraw your consent at any time, and this will not affect the legitimacy of the processing that was implemented based on the consent before the withdrawal.

We delete the data when they are no longer required for the purposes pursued by us or when you have withdrawn your consent and no other legal basis applies. In the event that the latter is the case, we will delete the data after the other legal basis ceases to apply.

3. Fulfilment of legal obligations

We may process your employment data also in order to comply with statutory obligations which may arise pursuant to commercial law, tax law, finance law, or criminal law. The purposes of the processing arise from the corresponding statutory obligation. Usually, the processing is effected in order to comply with governmental monitoring obligations and information obligations.

The data processing is effected on the basis of Article 6(1)(c) of the GDPR.

We delete the data after the legal obligation ceases to apply and provided that no other legal bases, in particular statutory or contractual periods of retention, apply.

4. Processing for the purpose of protecting legitimate interests

To the extent to which this is necessary, we process your personal data also in order to protect our legitimate interests. In doing so, we pursue the purpose to defend ourselves against legal claims that were asserted based on the application process. Our legitimate interest is then based, e.g., in the burden of proof in proceedings pursuant to the Allgemeines Gleichbehandlungsgesetz [*German Act on Equal Treatment*]

We only process your personal data if this is compatible with your fundamental rights and freedoms. The data processing is effected on the basis of Article 6(1)(f) of the GDPR.

We delete the data when they are no longer required for the purposes pursued by us and no other legal basis applies.

V. Sources and categories of data when data is obtained by a third party

In the majority of cases, we process the personal data that we have received directly from you.

In some constellations, however, we may also receive your personal data from third parties:

- applicant data by means of recruiters/personnel providers

- StepStone: If you have an active profile with StepStone or if you disclose an inactive or only partly active profile during the application process, we may also collect personal data of yours from there. You alone determine the extent and the availability of the data.

In both of the constellations described above, this is implemented for the purpose of supporting the search for qualified applicants and also to appeal to those applicants who are not actively looking for a job and want to be found by potential employers.

We delete the data when they are no longer required for the purposes pursued by us and no other legal basis applies.

VI. Do I have to make my personal data available?

You are not obliged to make your personal data available to us. However, making personal data available to us is required for the conclusion of an employment relationship with us. If you do not make any personal data available to us during an application, we will not be able to enter into an employment relationship with you.

VII. Who has access to your data and who receives them?

Within our company, only those departments and the employees who work there have access to your application details that absolutely need such access in order to be able to fulfil their tasks and duties. This includes:

- Employees of the human resources department
- Responsible directors when applications are promising
- When applications are promising, expert colleagues from the relevant department who are involved in the decision, because of the assessment by the hiring director
-

We only forward your personal data to external recipients if there is a statutory justification for this or if you have consented to the transfer. External recipients may include:

- Processors: Service providers that we use for the provision of services in the human resources area or which are entrusted with the maintenance of IT systems. Such processors are selected with due care by us and are regularly reviewed to ensure that your employment data are in good hands.
- Public bodies: public authorities and government institutions, as, e.g., public prosecutors, courts of law, or financial authorities, to which we have to transfer personal data.
- Private bodies: Private bodies to which we transfer your data on the basis of a legal provision or on the basis of your consent, for example, companies within the group of companies, lawyers or tax consultants in the case of judicial or extrajudicial proceedings.

VIII. How long will my data be stored?

In the event that we do not hire you, we will store your personal data in the form of your cover letter and your CV for another six months after the application process is completed. The other personal data will be deleted directly after the completion of the application process.

In the event that we cannot take you into consideration in the current application procedure, but want to include you in our pool of applicants, we will ask you to give your corresponding declaration of consent thereto. Based on your declaration of consent, we would retain your application documents for the period of one year and delete them after that period of time has expired, unless you withdraw your declaration of consent earlier than this. In the event of a withdrawal, we will delete your personal data immediately.

If we hire you, we will file your application documents in the personal file, where they will be stored for the duration of your employment relationship. After the employment relationship has ended, the processing of your application data and your employment data will be restricted. Usually, the data will be deleted ten years after the employment relationship has ended.

IX. To which data subject rights am I entitled?

In accordance with the GDPR, you are entitled to the following rights as a data subject, provided that the respective statutory requirements are met:

- **Access:** You have the right to receive information about the personal data pertaining to you which we process.
- **Rectification:** You may demand that inaccurate personal data will be rectified. Furthermore, you may demand that incomplete data will be completed.
- **Erasure:** In certain cases, you are entitled to demand the erasure of your personal data.
- **Restriction of processing:** In certain cases, you are entitled to demand that we restrict the processing of your data.
- **Data portability:** If you have made the data available to us based on a contract or consent, you are entitled to demand to receive the data which you provided to us in a structured, commonly used and machine-readable format or to have them transmitted by us to another controller.
- **Withdrawal of consent:** If you have given us your consent to the processing of your data, you may withdraw the consent at any time with effect for the future. This does not affect the legitimacy of the processing of your personal data before the withdrawal of the consent.

Right to object

Right to object on a case-by-case basis

You have the right to object at any time to the processing of your personal data on the basis of Article 6(1)(1)(e) of the GDPR or Article 6(1)(1)(f) of the GDPR for reasons arising from your particular situation; this also applies to any profiling based on these provisions. We will then no longer process such personal data for those purposes, unless we can provide compelling protected reasons for such processing, which outweigh your interests, rights and freedoms, or the processing is necessary for the assertion of, exercise of, or defense against any legal claims.

Asserting your rights: To assert any of your abovementioned rights, please contact the human resources department (jobs@tge-gas.com) or write by mail to the address indicated in Number I above. Please make sure that we can clearly identify you.

Right to lodge a complaint with the supervisory authority: If you believe that the processing of the personal data concerning you is illegal, you may lodge a complaint with a supervisory authority, in particular in a member state of your habitual residence, your workplace, or at the location of the alleged breach.

X. Who can I contact if I have questions or suggestions?

If you have any questions or suggestions regarding data protection, please contact the company management and/or the data protection officer at any time. Please find the specific contact details in Number I. If you have any questions relating to this information document, you may additionally contact the human resources department (jobs@tge-gas.com).

This version was last updated on: 26 June 2018