



BRIGHT MINDS,
BRIGHT LIGHTS.

Data privacy statement for job applicants

As at: October 2023

Thank you for your interest in

- **ZKW Group GmbH** (Rottenhauser Str. 8, 3250 Wieselburg / office@zkw-group.com)
- **ZKW Lichtsysteme GmbH** (Scheibbser Str. 17, 3250 Wieselburg / office@zkw.at)
- **ZKW Mexico S.A. DE C.V.** (Avenida Mineral de Peñafiel No. 1, CP. 36275 Silao, Gto. / office@zkw.mx)

("ZKW", "we", "us") is committed to protecting your Personal Data when processing it throughout the application process.

ZKW has taken the necessary organisational and technical measures to ensure the confidentiality of your application and, of course, processes it in accordance with applicable data protection law, in particular the EU General Data Protection Regulation (GDPR) and the Data Protection Act (DSG) as amended. All ZKW employees are obliged to maintain confidentiality regarding Personal Data within the scope of their employment contract. The general standards for data security in accordance with the current state of the art are taken into account in data processing (e.g. firewalls, virus scanners). Nevertheless, we recommend that you make backup copies of documents that are important to you.

This Data privacy statement informs you about our data processing activities in relation to certain Personal Data that you enter when accessing and using the ZKW Recruiting System ("the Portal") in order to (i) create a profile in the Portal, which is used, among other things, to store your application data, and/or (ii) apply for a specific job offer of a company of the ZKW Group ("ZKW" or "we") - a listing of all companies with access to this career Portal can be found above, while the relevant company is indicated for a specific job offer.

I. Your Personal Data and the purposes of processing

1. General

When you access and use the Portal, we process certain Personal Data about you that you provide to us when you create an account, set up a profile and/or apply for a job on the Portal ("Personal Data"), including such Personal Data received from you or authorised third parties (e.g., approved recruitment agencies that you have authorised to provide your Personal Data to us). In addition to the Personal Data collected through the Portal, we may collect other Personal Data about you as permitted or required by applicable law for purposes related to your profile on the Portal or a specific job application (e.g. in connection with interviews we conduct with you). We collect such Personal Data to enable you to create an account, set up a profile and/or apply for a job on the Portal, as well as to inform you about new job postings and send you information about career opportunities.

This career Portal is operated by ZKW Group GmbH (as a processor within the meaning of Article 4 (8) GDPR) for other companies of the ZKW Group. The ZKW company specified in the respective job advertisement is the controller within the meaning of Article 4 (7) of the GDPR.

2. Creation of account and profile

When you (or a recruitment agency on your behalf) create an account on the Portal, we collect the following Personal Data



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from you in order to create your account:

- E-mail address, password, first name, last name, country of residence;
- Account settings regarding the accessibility (recipients) of your profile, your willingness to receive notifications of new job postings and information about career opportunities as well as information about ZKW as an employer.

Furthermore, each time you use your account, we store date and time of your login in order to allow you to verify when you were last logged into your account and so that we can notify you about a pending deletion of your account due to prolonged inactivity (see IV).

When you create a profile on the Portal, we collect the following Personal Data from you in order to be able to fill out your profile accordingly and to store the relevant Personal Data for you:

- Mandatory information: First name, last name, curriculum vitae, e-mail address, telephone number.
- Optional information: Home address, certificates, documents relevant to the application, education information.

Once registered on the Portal, you can voluntarily provide and/or upload additional information about yourself in your profile, such as a cover letter, education details, attachments (both general attachments and application-specific attachments), as well as other profile information (how did you hear about this job, detail of source, whether one of our recruiters may contact you on job opportunities that may be of interest to you), information about your work experience and education, as well as professional certifications, language skills and geographic mobility.

3. Application for a specific job

You also have the option of applying for a specific job on the Portal. In this case, in addition to the information described in section I.2. above, you may provide additional job-specific information, such as your date of birth, salary expectations and notice period regarding your current employment. We will only use the Personal Data described here and in section I.2. for the purpose of the application process, which may include reviewing your application and conducting interviews by video conference or in person. All decisions affecting your application are conducted by individuals responsible for such. This data processing is carried out for the performance of pre-contractual measures (Art. 6 (1) (b) GDPR).

In order to carry out an objective and professional application procedure and to promote transparency and fairness, applicants for leadership positions (above a certain hierarchy level) and, in cases of occasion, also other applicants are asked – on the basis of our legitimate interest - to answer questions as part of an online **ASSESS potential analysis**. The potential analysis is on a voluntary basis and is carried out by our external partner. The report incl. the analysis results prepared by the external partner are sent to us and used within the scope of the application procedure for the above- mentioned purposes.

4. Communication via the Portal / receiving notifications about new job postings / information about career opportunities.

You may communicate with us through the Portal (e.g. by asking questions about an application or about a job or your profile on the Portal). In this context, we will process your Personal Data (including those you provide to us in connection with such a request) to the extent necessary to respond to your request. We will not use this information for any other purpose. The processing is insofar necessary to take steps in response to your request prior to a possible conclusion of a contract and is based on Art 6 para 1 lit b) GDPR.

Based on the selection you indicated in your account settings when creating your profile in the Portal or at a later stage in the "Search options and data protection" or "Job notifications" section of your profile (consent within the meaning of Art. 6 para. 1 lit. a) GDPR), we will send you notifications about new job postings and/or information about career opportunities or about ZKW as an employer. You can revoke your consent by changing your account settings so that you do not receive



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notifications about new job postings and/or information about career opportunities or ZKW as an employer. The settings regarding information about career opportunities can be changed in the tab "Search Options and Privacy". The settings regarding job notifications can be changed in the tab "Job Alerts".

5. Further use of your Personal Data

In addition to sections 1. to 4., your Personal Data may also be processed if ZKW reasonably considers it necessary for compliance with legal or regulatory obligations (pursuant to Art. 6 para. 1 lit. c) GDPR) or for the following legitimate interests (pursuant to Art. 6 para. 1 lit. f) GDPR), e.g. for the establishment, exercise or defence of legal claims of members of the ZKW Group. Your Personal Data is also processed for the operation and management of IT systems of the ZKW Group, which are hosted either internally or externally.

The provision of Personal Data is necessary for the conclusion and/or performance of a contract with you. The provision of Personal Data is voluntary. However, if you do not provide Personal Data, the application procedures concerned or the provision of the Portal may be delayed or become impossible.

6. Apply with LinkedIn

The "Apply with LinkedIn" function allows you to apply for jobs using your LinkedIn profile. When you click on "Apply with LinkedIn" on the website, some fields of the job application are pre-filled with your profile data and your full profile is automatically made available to ZKW. This means that ZKW can easily access your full LinkedIn profile information. LinkedIn shares with ZKW all the fields listed in the application process. This function only works if you are logged in to LinkedIn. Your Personal Data is only transmitted from LinkedIn to ZKW when you click on the button: "Apply with LinkedIn". Therefore, you have full control over the transfer of your Personal Data to ZKW. The legal basis for the processing of your Personal Data is your consent, which you give by clicking the button "Apply with LinkedIn". The purpose of the processing is to carry out the application process. For more information on how LinkedIn processes your Personal Data, please visit: <https://de.linkedin.com/legal/privacy-policy>

II. Recipients

The following recipients or categories of recipients will have access to some of your Personal Data.

1. ZKW's group-wide career Portal

In order to provide your general data (applicant profile) outside of a current job vacancy, we offer you the following options:

- a. Your data may be passed on to all ZKW companies worldwide for the purpose of filling vacancies ("Any company recruiter worldwide").
- b. Your data may be passed on to ZKW companies within your country of residence for the purpose of filling vacancies ("Any company recruiter in my country only").
- c. Your data will only be used to fill the position for which you have applied. It will not be passed on within the ZKW Group ("Only recruiters managing jobs I apply to").

The persons within the ZKW Group involved in recruiting for vacant positions have access to your data stored in the system in accordance with the option you have chosen (a.-c.).

If you have chosen option a.) or b.), you consent to the associated processing or transmission of your Personal Data. (Art 6 para 1 lit a GDPR).

**Please note that in the coming months other ZKW companies will gain access to this career Portal!
A list of all ZKW companies that currently have access to this career Portal can be found above.**



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For your application, your Personal Data will be made available to the employees of the HR department and the persons responsible for the selection (specialist departments). If these employees belong to a ZKW company other than the one for which you are applying, they will provide their services as a data processor within the meaning of Article 4(8) of the GDPR. We may also transfer your Personal Data to other companies of the ZKW Group in the context of restructuring or mergers. Your Personal Data may be processed by ZKW Group GmbH for reporting purposes within the scope of data processing.

If you apply for a position as an **expatriate** in a subsidiary of ZKW Group GmbH, your data will be transmitted confidentially to this company in connection with this application. In these cases, ZKW Group GmbH acts as the processor of the respective subsidiary. For subsidiaries outside the EEA, please refer to II. 3. "Data transfers outside the European Economic Area".

We also transfer your Personal Data to our service providers. These include: Postal and messenger services, printers.

Your Personal Data may also be disclosed or transferred to interested parties and buyers in the event of (i) a due diligence process or (ii) a corporate transaction or restructuring. This is done in compliance with strict confidentiality rules and (i) in the case of a due diligence process to a very limited extent due to our legitimate interests and (ii) in the case of a corporate transaction with regard to any sensitive data due to Art 9 (2) lit b GDPR for the fulfilment of the purchaser's obligations under labour and social law vis-à-vis the applicants taken over. In this context, in the role of the buyer, we may also receive Personal Data of the applicants of a transferring company and process it in our systems. Depending on the type of Personal Data, we rely on the same legal bases, in particular in order to take preparatory actions to take over the applications and then continue the application process.

2. Third parties

The data you provide may be processed for statistical purposes (e.g. reporting) within the scope of our legitimate interest (Art 6 para 1 lit f GDPR). It is not possible to draw conclusions about individual persons.

In addition, we process your data on the basis of our legitimate interest to ensure IT security and IT operations and to assert, exercise or defend legal claims. For this purpose, we transmit your Personal Data to our IT service provider and, if necessary, to lawyers.

Furthermore, audits are carried out by ZKW itself or by external independent auditors to assess the liability risk and compliance with due diligence in our company. Your Personal Data may be transferred to the auditor in the course of audits due to our legitimate interest.

We process your Personal Data within the scope of our legal obligations, e.g. obligations under the Equal Treatment Act, as well as tax or company law requirements to the extent required by the respective law. For this purpose, we may also transmit your Personal Data to authorities or courts. In these cases, we process your Personal Data to fulfil legal obligations in accordance with Art 6 para 1 lit c GDPR.

3. Data transfers outside the European Economic Area

**Please note that more ZKW companies will gain access to this career Portal in the coming months!
A list of all ZKW companies that currently have access to this career Portal can be found above.**

If you have chosen selection option a) ("Any company recruiter worldwide") with regard to the visibility of your applicant profile, or if you apply directly to a ZKW company outside the EEA, your personal data associated with the applicant profile will also be transferred to or processed at ZKW companies outside the European Economic Area ("EEA"). A list of all ZKW companies with access to this career Portal can be found above.

These are countries (with the exception of the Republic of Korea) without an adequacy decision pursuant to Art 45 (3) GDPR. If you have selected this option, your consent pursuant to Art 49 of the GDPR also applies to the associated processing and transfer of your Personal Data.

ZKW has established suitable guarantees for these cases in the form of EU standard contractual clauses. Detailed



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information on this can be found here: https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj. You can also request a copy at datenschutz@zkw-group.com.

Although ZKW has implemented appropriate technical and organisational security measures to protect Personal Data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access and against all other unlawful forms of processing, there is a risk that your data so transferred may be subject to access by public authorities in those third countries for control and monitoring purposes and that no effective legal remedies may be available against such access.

Your data is protected from unauthorised access by encrypted transmission, encrypted storage, a role and authorisation concept, a data backup concept and physical protection measures for the servers. These aspects are checked regularly.

III. Managing your account

You have a variety of options to manage kind and volume of data we store about you.

- You can delete your entire account at any time.
- You can delete all or selected information in your profile.
- You can withdraw an application.

All three options will result in the deletion of the Personal Data as described above, unless we are required by law to retain the relevant data.

Furthermore, you have the possibility to change the visibility settings of your applicant profile (a - c) in your profile under "Search Options and Privacy".

IV. Retention periods for your Personal Data and their deletion

If you have submitted a job application, but have received a negative decision, the information provided by you (profile, job application, eventually report from the potential analysis) will be stored for **7 months** after completion of the application procedure and then deleted (storage period to defend against any claims under the GIBG/BEinstG [equal treatment act/act governing the employment of handicapped persons]).

For applicants of the **Mexican** ZKW entity (ZKW Mexico S.A. DE C.V.), a retention period of **12 months** from the end of the application procedure in respect of the information relating to the specific application (report from the potential analysis, if applicable) takes place.

In the case of accepted applicants who are integrated into our management development program, the reports from the potential analysis are stored for the purpose of enabling individual further development and promotion during the current employment relationship or for succession planning for specific positions on the basis of our legitimate interest for the entire duration of the employment relationship until leaving the company. In addition, the data will be stored for as long as there are legal storage obligations or this is necessary due to limitation periods to assert, exercise or defend legal claims. Without integration into the ZKW leadership development program, the reports from the potential analysis will only be stored with your express consent, which we obtain separately.

If your Personal Data is collected in the course of audits, it will be stored until the audit report is prepared.

We will delete your account if you have not logged into your account for more than **one year**. In this case, you will receive a separate notification informing you of the upcoming deletion.

V. Application information, information on your data, your rights

You warrant that the Personal Data you provide is true, accurate, clear and current. You can have information that is not



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complete or up-to-date corrected at any time. You have the right to request information regarding the Personal Data stored about you in the applicant database.

Basically, you are entitled to access to your personal data, to rectification, erasure, restriction of processing, and to data portability. **If the processing is based on your consent, you can revoke this with effect for the future at any time, e.g. by e-mail to datenschutz@zkw-group.com.**

You have the right to object to the processing of your Personal Data based on our legitimate interest at any time, if relevant reasons arise in this respect from your particular situation.

If you believe that the processing of your data violates data protection law or that your data protection rights have otherwise been violated in some way, you have the option of contacting us (reachable at datenschutz@zkw-group.com) or the data protection authority with a complaint. You can find the list of competent data protection authorities in the individual EU member states here: https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm. Before filing a complaint with the data protection authority or when exercising your rights or other questions, please contact us (datenschutz@zkw-group.com).

For questions about the current application process and related statuses, please contact the contact person indicated in the respective job description or, for general concerns, the ZKW company to which you have applied:

- jobs@zkw.at (ZKW Lichtsysteme GmbH),
- jobs@zkw.at (ZKW Group GmbH),
- jobs@zkw.mx (ZKW Mexico S.A. DE C.V.)

Final provisions

In the course of the further development of the Internet, we will also adapt these data protection provisions on an ongoing basis. We will announce any changes on the website in good time. You should therefore call up this data privacy statement regularly to find out about the current status.