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Data privacy statement for job applicants

May 2024

Thank you very much for your interest in **ZKW Lighting Systems USA, Inc.**, 100 West Big Beaver Rd., Suite 300, 48084 Troy (office@zkwusa.com) ("ZKW", "we", "us"); we emphasize the importance of the protection of your personal data when processing the same during the entire job application procedure.

ZKW has taken the required organisational and technical measures to ensure the confidentiality of your job application; treating the same in compliance with applicable data protection legislation, is a matter of course to us. All ZKW employees are obliged to observe secrecy with respect to personal data under their employment contracts. During data processing, the general standards regarding data security are observed according to the current state of the art (e.g. firewalls, virus scanners). Nevertheless, we recommend that you prepare backup copies of all documents that are of importance to you.

In the present data privacy statement, we provide you with information about the processing of your personal data in the course of your application process.

Performance/implementation of pre-contractual measures

ZKW will exclusively use the personal data provided by you to comply with your wishes and requests, i.e. to process your job application. In doing so, we will process your personal data for the purpose of carrying out pre-contractual measures.

During the job application procedure, the usual contact details such as postal address, e-mail address and telephone numbers, application documents (form letter and cover letter), CV, training qualification and further professional training, salary proposal, as well as job references will be processed, apart from salutation, surnames and first names. Your personal data will be processed by the companies in the ZKW Group which process the personal data within the application process on our behalf as outlined below.

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.

The entity responsible for our job applicant web platform is ZKW Group GmbH, Rottenhauser Str. 8, 3250 Wieselburg (jobs@zkw-group.com).

If you apply for a position with **ZKW Lighting Systems USA, Inc.**, 100 West Big Beaver Rd., Suite 300, 48084 Troy (office@zkwusa.com), ZKW Group GmbH will act as "processor" only, passing on the data to us.



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If you apply for an **expatriate** position within a subsidiary of ZKW Group GmbH, your data will be transmitted to that company in strict confidence in connection with said application. EU standard contract clauses have been agreed between ZKW companies located inside and outside the EEA. Detailed information in this respect is available through the following link: https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj

For the purpose of your job application, access to your personal data will be provided to the employees of the HR department and to the persons responsible for choosing the candidate (specialist departments). Within the scope of reorganisations or mergers, we may also transmit your personal data to other companies of the ZKW Group.

We will also transmit your personal data to our service providers. These include: postal and courier services, printing shops.

Legitimate interests

The data provided by you may be processed for statistical purposes (e.g. reporting) within the scope of our legitimate interest. In this context, no conclusions can be drawn as to the identity of individual persons. Moreover, we shall process your data to ensure IT security and the operation of IT systems and to establish, exercise or defend legal claims.

For this purpose, we will transmit your personal data to our IT service providers and, if required, to lawyers.

Furthermore, due to liability risk and the compliance with due diligence in our company audits are carried out by ZKW or by external independent auditors. Your personal data collected in the course of audits may be transmitted to the auditor on the basis of our legitimate interest.

Meeting legal obligations

Within the scope of our statutory obligations, e.g. regulatory requirements, obligations under the antidiscrimination act, as well as requirements under tax or corporate law, we may process your personal data to the extent it is required under the relevant legislation. For this purpose, we may also transmit your personal data to public authorities or courts.

Corporate transactions

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 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.

Storage period

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 the end of the recruiting process and then deleted. Personal data may be stored for longer period in cases of objectively increased risk of antidiscrimination claims will arise.

In the case of accepted applicants who are integrated into our leadership development program, the reports from the potential analysis will be kept for the purpose of enabling individual development and promotion during the employment relationship or for succession planning for specific positions on the basis of our legitimate interest during the entire duration of the employment relationship until leaving the company. In addition, the data is stored 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.

If in the course of audits your personal data is collected, it will be stored until the creation of the audit report.



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Application information, information about your data, your rights

You warrant that the personal data provided by you are true, correct, clear and up-to-date. You may have any information that is not complete or not up-to-date rectified at any time. You are entitled to be provided, upon request, with information regarding the personal data stored about you in the applicant data base.

Basically, you are entitled to access to your personal data, to rectification, erasure, restriction of processing, and to data portability. If processing is based on your consent, you may revoke such consent, e.g. by sending an e-mail to the address indicated above, at any time with future effect.

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 personal data is in violation of data protection legislation or that your data protection rights have been infringed in any other way, you may lodge a complaint with us (available at: datenschutz@zkw-group.com) or the competent data protection authority. Prior to filing a complaint with the Data Protection Authority or when exercising your rights or in case of any other questions, please get in touch with us (datenschutz@zkw-group.com).

For **questions regarding a pending job application procedure** and the relevant statuses, please contact the e-mail address stated in the respective job posting (alternatively office@zkwusa.com).

California Residents: Your Rights

California residents ("you" or "your" for purposes of this section) have specific rights regarding your personal information ("personal information" or "PI") under the California Consumer Privacy Act (CCPA). This section describes your CCPA rights and explains how to exercise them. Please note that the CCPA does not apply to certain information and our processing of those categories of information is not addressed below.

Categories of Personal Information Collected, Disclosed, or Sold in the Last Twelve (12) Months

You have the right to know the categories of personal information ZKW has collected, disclosed, or sold about its customers, suppliers, website visitors, job applicants and third parties within the last twelve (12) months. The chart below offers a comprehensive overview of the types of personal information we collect, with whom it is shared, and for what purposes.



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Category	Examples	Collected	Source	Purpose of Collection	Third Parties to Whom Disclosed
A. Identifiers.	A real name, postal address, unique personal identifier, online identifier, IP address, email address, account name, telephone number.	YES	Customers, third parties	<p>To provide our products and services.</p> <p>To process customer payments.</p> <p>To communicate with customers and prospective customers.</p> <p>To process submissions made via our whistleblowing portal.</p> <p>To analyze and improve our marketing efforts.</p> <p>To maintain and improve our information security and the operation of our website.</p>	<p>IT service providers.</p> <p>Marketing service providers.</p> <p>Logistics service providers.</p> <p>Banking and payment service providers.</p>
B. Personal	A name, signature,	YES	Customers, third	To provide our	IT service



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information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	Social Security number, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, bank account number, credit card number, or any other financial information.		parties	products and services. To process customer payments. To communicate with customers and prospective customers. To process submissions made via our whistleblowing portal. To analyze and improve our marketing efforts. To maintain and improve our information security and the operation of our website.	providers. Marketing service providers. Logistics service providers. Banking and payment service providers.
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, national origin, citizenship.	YES	Customers, third parties	To provide our products and services. To process customer payments. To communicate with customers and prospective customers. To analyze and improve our marketing efforts.	IT service providers. Marketing service providers. Logistics service providers. Banking and payment service providers.
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES	Customers, third parties	To provide our products and services. To process customer payments. To communicate with customers and prospective customers. To analyze and improve our marketing efforts.	IT service providers. Marketing service providers. Logistics service providers. Banking and payment service providers.



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E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO			
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES	Consumers, third party data analytics providers	To improve our website and marketing efforts. Fraud prevention	Third party marketing service provider.
G. Geolocation data.	Physical location or movements.	NO			
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO			
I. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO			
J. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO			



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Right to Know About Personal Information Collected, Disclosed, or Sold

You have the right to request that ZKW disclose certain information to you about our collection, use, disclosure and sale of your personal information over the past twelve (12) months. Once we receive and confirm your request, to the extent you have requested them, we will disclose to you:

- The categories of personal information we collected about you;
- The categories of sources from which the personal information was collected;
- Our business or commercial purpose for collecting that personal information;
- The categories of third parties with whom we shared that personal information, if any;
- The specific pieces of personal information we have collected about you (also called a data portability request); and/or
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - o Disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained; and
 - o Sales, identifying the personal information categories that each category of recipient purchased. ZKW does not sell personal information.

Right to Request Deletion of Personal Information

You have the right to request that ZKW delete any of the personal information that we have collected from you and maintain, subject to certain exceptions. Once we receive and confirm your request, we will either delete, de-identify, or aggregate your personal information, unless not doing so is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the personal information, take actions reasonably anticipated within the context of our business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the our deletion of the information is likely to render impossible or seriously impair the achievement of such research, if the you have previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Your Rights to Know and Deletion

To exercise your rights, please submit a request by email to datenschutz@zkw-group.com. In order to submit a request, you must provide unique identification information that matches information we hold (e.g., name, billing information or transaction number).

Only you, or someone legally authorized to act on your behalf (i.e., your authorized agent), may make a request related to your personal information. ZKW may require an agent to provide verification that they are acting on your behalf when they submit a request related to your personal information.

Non-Discrimination

ZKW will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:



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- Deny you services;
- Charge you different prices or rates for services, including through granting discounts or other benefits, or imposing penalties;
- Provide you a different level or quality of services; or
- Suggest that you may receive a different price or rate for services or a different level or quality of Services.

Data Security

We take reasonable measures that we believe are appropriate to protect your information from loss, misuse, alteration or destruction. We will ask any agents and service providers to whom we may transfer your information to take comparable steps to protect that security.

Final provisions

As the Internet evolves, we will continuously adjust these data protection provisions as well. Any changes will be announced on the website in good time. Therefore, you should call up these data protection provisions regularly, in order to bring yourself up to date.