

Applicant management privacy policy in accordance with Art. 13 GDPR

As part of the employment relationship, personal data is collected from you. Due to new legislation laid out in the General Data Protection Regulation (GDPR), we are therefore obliged to inform you of the following in accordance with Art. 13 ff. GDPR:

The data controller responsible for collecting and processing your data is your employer:

SIMM Spielwaren GmbH
Wallersbacher Weg 2
91154 Roth-Eckersmühlen, Germany

Telephone: +49 9171 954 0
Fax: +49 9171 954 250
email: service@simm-spielwaren.com

The contact details of our data protection officer are as follows:

Mr. Fabian Fromm
Projekt 29 GmbH & Co. KG
Ostengasse 14
93047 Regensburg, Germany

Tel.: +49 941 2986930
Fax: +49 941 29869316
Email: anfragen@projekt29.de
Internet: www.projekt29.de

Your data will be collected and processed as part of the recruitment process and/or to manage the employment relationship.

The required data includes, in particular, your master data (especially first and last name, supplements to your name, nationality), your contact details (especially private address, mobile and landline number, email address), other data from the employment relationship, such as time log data, holiday dates, times when you are unavailable to work, skills data, social data, bank details, social security number, pension number, salary data, tax identification number, special health data and, if applicable, criminal record) as well as log data that arise when using the IT systems.

Your personal data is mainly collected directly from you. Due to legal regulations, some of your data will also be collected from elsewhere, such as the tax office for specific queries about tax-relevant information, your health insurance company for information about times when you will be unable to work or potentially other third parties, such as job agencies or publicly accessible sources (e.g. professional networks).

Your personal data will only be received within our company by those people who need it to fulfil our contractual and legal obligations, such as the HR department, the accounting department or your particular department.

Insofar as we use service providers to fulfil our contractual and legal obligations, they will also receive the necessary data. These include the following service providers: external EDP companies, IT companies, waste disposal service providers.

In addition, we may transfer your personal data to other recipients outside the company, to the extent necessary to fulfil our contractual and legal obligations. These include in particular social insurance carriers, health insurance companies, pension insurance companies, professional pension institutions, the state employment agency (*Agentur für Arbeit*), the employers' liability insurance association, the tax authorities, accident and liability insurance companies, courts, banks, competent bodies in order to be able to guarantee claims from company pension schemes or capital-building benefits, third party debtors in the case of garnishment of wages and salaries, or insolvency administrators in the case of personal bankruptcy.

Your data will not be transferred to third countries.

We process your personal data in compliance with all relevant laws, such as the GDPR, the Federal Data Protection Act (*Bundesdatenschutzgesetz*, BDSGneu), the Working Hours Act (*Arbeitszeitgesetz*), etc.

The primary purpose of data processing is to establish, implement and terminate the employment relationship. The relevant legal basis for this is Art. 6 para. 1 b) GDPR in conjunction with § 26 para. 1 BDSG.

Your personal data will also be processed on the basis of separate consent in accordance with Art. 6 para. 1 a), 7 GDPR in conjunction with § 26 para. 2 BDSG (e.g. for video recordings).

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

If necessary, we also process your data on the basis of Art. 6 para. 1 f) GDPR in order to protect our legitimate interests or those of third parties (e.g. authorities). This applies in particular to the investigation of criminal offences (legal basis § 26 para. 1 sentence 2 BDSG) or for internal communication and other administrative purposes.

Insofar as special categories of personal data are processed in accordance with Art. 9 para. 1 GDPR within the context of the employment relationship, this serves to exercise the rights or the fulfilment of legal obligations under labour law, social security law and social protection (e.g. providing health data to health insurance companies, recording of severe disability due to additional leave and determination of the severe disability contribution). This is based on Art. 9 para. 2 b) GDPR in conjunction with § 26 para. 3 BDSG. The processing of health data for the assessment of your ability to work may also be required pursuant to Art. 9 para. 2 h) in conjunction with § 22 para. 1 b) BDSG.

In addition, the processing of special categories of personal data can be based on consent pursuant to Art. 9 para. 2 lit. a) GDPR in conjunction with § 26 para. 2 BDSG (e.g. occupational health management).

If we wish to process your personal data for a purpose not mentioned above, we shall inform you in advance.

If your job application is rejected, the data you have transmitted will be deleted six months after we notify you of the rejection. This does not apply if longer storage is required due to legal requirements (e.g. the burden of proof obligation pursuant to the General Equal Treatment Act, *Allgemeines Gleichbehandlungsgesetz*, AGG) or if you have explicitly agreed to a longer storage period in our applicant database.

The storage period of the collected data is limited to the duration of the employment relationship. We will delete your personal data as soon as it is no longer required for the purposes mentioned above. After termination of the employment relationship, the data will be saved and then deleted in accordance with the statutory or official retention periods, which result from the Commercial Code (*Handelsgesetzbuch*, HGB) and the Fiscal Code (*Abgabenordnung*, AO). The storage periods are then up to ten years. In addition, personal data may be retained for the statutory limitation period of three or up to 30 years if claims can be asserted against us.

You have the right to request information from your employer detailing the data stored about you. Under certain circumstances, you may request the rectification or deletion of your data. You may also have the right to restrict the processing of your data and the right to receive the data you have provided in a structured, common and machine-readable format.

Right to object:

You have the right to object to the processing of your personal data for direct marketing purposes without giving a reason.
If we process your data in order to safeguard legitimate interests, you can object to this processing for reasons that arise from your particular situation.
We shall then no longer process your personal data unless we can establish compelling legitimate grounds for the processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

You have the right to lodge a complaint with the above-mentioned data protection officer or the relevant supervisory authority regarding the handling of your personal data. The responsible supervisory body is:

Bavarian State Office for Data Protection Supervision (*Bayerisches Landesamt für Datenschutzaufsicht*)
Promenade 18
91522 Ansbach
Tel.: +49 (0)981 180093-0
Fax: +49 (0)981 180093-800
Email: poststelle@lda.bayern.de.

The provision of personal data is necessary to establish, implement and terminate the employment relationship and represents a secondary contractual obligation of the employee.
If we do not receive the required data, we cannot implement an employment relationship with you.