



## **1 Scope of this privacy policy**

The Techem Group is subject to compliance with applicable data protection laws and takes the protection of data protection rights very seriously as the basis for a trusting business relationship.

This privacy policy applies to Techem Energy Services GmbH, Techem X GmbH, Techem Solutions GmbH, and bautech Energiemanagement GmbH, each with its registered office at Hauptstraße 89, 65760 Eschborn, Germany.

If there are different data protection agreements for processing, these privacy policies will be made available to you when the data is collected.

The following statement informs applicants (Art. 4 1. GDPR) about the processing of their personal data and their rights in connection with data processing under this statement. The privacy policy also covers persons who are authorized to conduct legal transactions on behalf of these parties within the scope of the business relationship (e.g., legal representatives, persons with written power of attorney). Hereinafter referred to collectively as "data subject."

## **2 Responsible**

Depending on the contract and the type of data processing, the following are responsible, either individually or jointly:

- Techem Energy Services GmbH, Matthias Hartmann, Hauptstraße 89, 65760 Eschborn
- Techem Solutions GmbH, Holger Suschowk, Hauptstraße 89, 65760 Eschborn
- Bautech Energiemanagement GmbH, Dr. Reinhold Völkert, Hauptstraße 89, 65760 Eschborn
- Techem X, Hauptstraße 89, 65760 Eschborn, Christian Klöppel

## **3 The Group Data Protection Officer**

You can contact the data protection officers of the aforementioned companies at:

Heiner Salz, Hauptstraße 89, 65760 Eschborn, Germany, or via [datenschutz@techem.de](mailto:datenschutz@techem.de)

## **4 Categories, purposes, and legal bases of data processing**

### **4.1 Categories of data**

As the responsible authority, we process personal data as part of the application process. This includes the following categories of data in particular:

- Contact in your candidate profile (for example first and last name, address, email, phone number, social media).
- Information from the application form (including, for example, salary requirements, your motivation, and, if applicable, information about disabilities (only if relevant to the position advertised)).
- Application documents (including, for example, resume, cover letter, information on your professional development, qualifications, and language skills).
- Results of online procedures (for example, personality tests, cognitive performance tests) and, if applicable, video interviews.
- Any references you provide us with.
- We evaluate the results of performance tests using relevant reference groups, taking into account your profession and level of experience.
- We may also obtain the above data about you from other sources, including external business partners, such as personnel service providers. We may also receive data that you have made



publicly available in professional social networks such as LinkedIn, or that you provide to us via third-party websites such as Monster Job Board, or from other publicly available sources (only if the data is relevant to your professional life). The purpose is to contact you about job opportunities or to verify the accuracy of the information you provided in your application documents.

#### **4.2 The data is processed for the following purposes**

- We collect and process your personal data in order to offer advertised positions and carry out the selection process
- Your application will be forwarded to Techem Energy Services GmbH and processed for the purpose of processing and execution
- For the initiation and establishment of the employment relationship (in order to be able to fill the advertised position appropriately)
- To contact you based on your unsolicited application

If consent is required in accordance with Art. 6 lit. a GDPR and you have given your separate consent, the data will also be processed for the following purposes:

- If you have given us your consent, to ask you about your satisfaction with the application process.
- To send you personalized information about job vacancies at Techem in accordance with the consent you have given.
- To contact you if you are considered for an alternative position.
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#### **Data processing is based on the following legal bases**

##### **4.3 Data processing for a contractual relationship (Art. 6 (1) lit b) GDPR)**

Personal data of the data subject may be processed for the preparation, conclusion, execution, and termination of a contract. This also includes the support of the contractual partner, provided that this is related to the purpose of the contract. During execution, the data will be used in particular in the context of the contractual provision of services and all necessary processing. Prior to a contract – i.e., in the contract initiation phase – the processing of personal data is permitted for the purpose of preparing offers, preparing purchase orders, or fulfilling other requests made by the interested party with a view to concluding a contract. Interested parties may be contacted during the contract initiation phase using the data they have provided.

##### **Data processing for the decision on the establishment of an employment relationship**

We collect all personal data that you provide to us during the application process. This enables us to assess your skills and evaluate whether you are suitable for a vacant position in our company.

The legal basis for the processing of this data is Art. 88 GDPR in conjunction with Section 26 (1) sentence 1 BDSG.



#### **4.4 Request for information by the data subject (Art. 6 (1) lit b) and f) GDPR)**

If the data subject contacts a company of the Techem Group with a request for information (e.g., request for information material on a product), data processing is permitted for the purpose of fulfilling this request.

#### **4.5 Consent to data processing (Art. 6 (1) lit a) GDPR)**

In certain cases, we base data processing on the voluntary consent of the data subject. In such cases, we will ask you separately for the necessary consent to processing, e.g. in order to:

- Send you personalized information about job vacancies at Techem in accordance with the consent you have given.
- To contact you if you are considered for an alternative position
- To ask you about your satisfaction with the application process

If we invite you to participate in a survey about your satisfaction with the application process at Techem, the relevant legal basis is your consent. The legal basis for the processing of this data is Art. 6 (1) (a) and Art. 88 GDPR in conjunction with Section 26 (2) of the BDSG. Your registration in our talent pool, where you will receive personalized information about current job vacancies at Techem, is also based on this legal basis.

#### **4.6 Data processing based on legal permission (Art. 6 (1) lit c) GDPR)**

The processing of personal data is also permitted if corresponding legal provisions require, presuppose, or permit data processing. The type and scope of data processing must be necessary for the legally permissible data processing and are based on these legal provisions.

#### **4.7 Data processing based on legitimate interest (Art. 6 (1) lit f) GDPR)**

The processing of personal data may also take place if it is permissible in the legitimate interest of the responsible authority. Legitimate interests are usually legal (e.g., enforcement of outstanding claims) or economic (e.g., avoidance of contract disruptions). Personal data may not be processed on the basis of a legitimate interest if there are indications in individual cases that the interests of the data subject that require protection outweigh the interests in processing.

A legitimate interest is, for example, a burden of proof in proceedings under the General Equal Treatment Act (AGG); insofar as this is necessary to defend against legal claims asserted against us arising from the application process.

If we obtain information from your public profile on professional social networks, we base the processing on our legitimate interest in forming a basis for a decision to establish an employment relationship with you. The legal basis is Art. 6 (1) f) GDPR in conjunction with Art. 9 (2) e) GDPR.

### **5 Categories of recipients of personal data**

The personal data will be passed on to service providers that we use within the scope of order processing relationships and to third parties in compliance with data protection regulations, in particular to:

- internal and external employees entrusted with processing, e.g. Employees in the human resources department, works council if applicable
- IT service providers
- lawyers/tax advisors
- auditors
- Network operators
- Service companies (e.g., for conducting surveys, sending documents, processing incoming communications)
- Authorities and other bodies (if we are required to disclose the data by law)

## **6 Transfer to third countries**

We strive to process your data within the EU. However, when processing data, it may be necessary to also process data in so-called third countries. If data is processed in countries outside the EU, we use standard contractual clauses, including appropriate technical and organizational measures, to ensure that your personal data is processed in accordance with European data protection standards. For some countries outside the EU, such as Canada and Switzerland, the EU has already established a comparable level of data protection. Due to the comparable level of data protection, data transfers to these countries do not require any special approval or agreement.

Furthermore, we may transfer your personal data to companies affiliated with us, insofar as this is permissible within the scope of the purposes and legal bases set out above. In addition, personal data may be processed on our behalf on the basis of contracts in accordance with Art. 28 GDPR. Standard contractual clauses have been concluded with these external service providers, unless they are based in countries with an adequacy decision in accordance with Art. 45 GDPR.

## **7 Storage period**

We only store your data for as long as we need it for the respective processing purposes. If the data is no longer required for the processing purposes specified in this privacy policy, it will be deleted unless its storage is still necessary to fulfill commercial or tax-related retention obligations. As a rule, we delete your data after these periods or determine the deletion period according to these criteria.

- We store your personal data in the application process for as long as this is necessary for the decision on your application. Your personal data or application documents will be deleted no later than six months after the end of the application process (e.g., notification of rejection), unless longer storage is legally required or permitted.
- We will only store your personal data beyond this period if this is required by law or in specific cases to assert, exercise, or defend legal claims for the duration of a legal dispute.
- If you have consented to the longer storage of your personal data, we will store it in accordance with your declaration of consent.
- If the application process results in an employment relationship, apprenticeship, or internship, your data will initially continue to be stored to the extent necessary and permissible and will then be transferred to the personnel file.
- If applicable, you will receive an invitation to join our talent pool following the application process. This allows us to consider you for suitable vacancies in the future in our applicant selection process in the future. If we have your consent, we will store your application data in our talent pool in accordance with your consent or any future consent you may give.

## 8 Your rights as a data subject

Any data subject (Art. 4 GDPR) whose data is processed by Techem as the responsible authority may exercise the following rights:

- 1) The data subject may request information about which personal data is stored, its origin, and the purpose for which it is stored. (Art. 15 GDPR)
- 2) If personal data is transferred to third parties, information must also be provided about the identity of the recipient or the categories of recipients. (Art. 13 GDPR)
- 3) If personal data is incorrect or incomplete, the data subject may request that it be corrected or supplemented. (Art. 16 GDPR)
- 4) The data subject is also entitled to request the transfer of their personal data. (Art. 20 GDPR)
- 5) The data subject may object to the processing of their personal data. (Art. 21 GDPR)
- 6) The data subject is entitled to request the erasure or restriction of their data if the legal basis for the processing of the data is lacking or has ceased to exist. The same applies if the purpose of the data processing has ceased to exist due to the passage of time or for other reasons. Existing storage obligations and legitimate interests that prevent erasure must be observed. (Art. 17 GDPR)
- 7) The data subject has a fundamental right to object to the processing of their data, which must be taken into account if their legitimate interest outweighs the interest in processing due to a particular personal situation. This does not apply if a legal provision requires the processing to be carried out. (Art. 21 GDPR)

To exercise your rights as a data subject, please contact us by email at [service@techem.de](mailto:service@techem.de) or by post at:

Techem Energy Services GmbH, Hauptstraße 89, 65760 Eschborn

## 9 Withdrawal of consent

**You have the right to withdraw your consent to the processing of your data at any time. To do so, send your withdrawal by email to [service@techem.de](mailto:service@techem.de) with the subject line "Data protection" or write to us at the above contact address. The withdrawal of consent does not affect the lawfulness of the processing of your data carried out until the withdrawal.**

## 10 Right to lodge a complaint with a supervisory authority

You have the right to lodge a complaint with the competent supervisory authority. The supervisory authority responsible for Techem GmbH and its subsidiaries or affiliated companies is:

The Hessian Data Protection Officer

Gustav-Stresemann-Ring 1

65189 Wiesbaden

Phone: 0611-1408 0

Fax: 0611-1408 611 [poststelle@datenschutz.hessen.de](mailto:poststelle@datenschutz.hessen.de)

## 11 Obligation to provide

You are not legally or contractually obliged to provide us with your data as part of our application process. However, the provision of your data is necessary for us to make a decision on your application or conclude a contract in relation to an employment relationship. If you do not provide us with any personal data, we will not be able to make a decision on establishing an employment relationship. Without this data, however, we will not be able to carry out the application process or conclude an



employment contract with you.