

## Privacy Policy for the Processing of Candidates' Personal Data

Welcome! We are delighted that you may be interested in exploring a job opportunity with us. OTTO Holding BV and its affiliated entities (collectively, “**OTTO**”) are committed to protecting the privacy and security of your personal information.

### 1. What is the purpose of this document?

This Privacy Policy describes how OTTO collects and processes your personal information when you use one of the **OTTO Websites**<sup>1</sup>, and other OTTO job-related websites linked from those sites (collectively, “Website”), when you submit a CV, application, or related materials to OTTO through other channels such as career fairs or through email, and when you otherwise explore or apply for a job with OTTO, in accordance with the EU General Data Protection Regulation (“**GDPR**”), the General Personal Data Protection Law (“**LGPD**”), and any other applicable local data protection laws (collectively, the “**Data Protection Laws**”).

It is important that you read this Privacy Policy, so that you are aware of how and why OTTO is using your personal information and what your rights are under Data Protection Laws. OTTO is the data controller of the processing of your personal data in connection with the Website and related backend databases and systems used to manage and maintain your candidate profile. This means that OTTO is responsible for deciding the purposes and means of the processing of your personal data on these systems. Should you apply for a job with or engage in recruiting interactions with a different OTTO company, your data will be processed also by that different company which will act as a joint data controller of your personal data processed in the context of the management of your application and recruiting. Please see section 12 below for more information regarding the data controller(s), the companies within the Group of OTTO companies that act as a joint data controller and data protection officer details and contacts.

#### <sup>1</sup> OTTO Work Force Websites

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| ▪ <a href="http://www.ottoworkforce.pl">www.ottoworkforce.pl</a> | ▪ <a href="http://www.ottoworkforce.sk">www.ottoworkforce.sk</a> |
| ▪ <a href="http://www.ottoworkforce.de">www.ottoworkforce.de</a> | ▪ <a href="http://www.ottoworkforce.hr">www.ottoworkforce.hr</a> |
| ▪ <a href="http://www.ottoworkforce.ro">www.ottoworkforce.ro</a> | ▪ <a href="http://www.ottoworkforce.eu">www.ottoworkforce.eu</a> |
| ▪ <a href="http://www.ottoworkforce.bg">www.ottoworkforce.bg</a> | ▪ <a href="http://www.ottoworkforce.md">www.ottoworkforce.md</a> |
| ▪ <a href="http://www.ottoworkforce.nl">www.ottoworkforce.nl</a> | ▪ <a href="http://www.ottoworkforce.hu">www.ottoworkforce.hu</a> |
| ▪ <a href="http://www.ottoworkforce.cz">www.ottoworkforce.cz</a> | ▪ <a href="http://www.ottoworkforce.ua">www.ottoworkforce.ua</a> |



## 2. Data protection principles

OTTO will comply with Data Protection Laws, which means that your data will be:

- used lawfully, fairly and in a transparent way
- collected only for valid purposes that OTTO has clearly explained to you and not used in any way that is incompatible with those purposes
- relevant to the purposes OTTO has told you about and limited only to those purposes
- accurate and kept up to date
- kept only as long as necessary for the purposes OTTO has told you about
- kept securely.

## 3. How is your personal information collected

OTTO collects personal information about candidates from the following sources:

- you, the Website user and/or candidate, either through the Website or other channels through which you submit application materials (such as by email or career fairs)
- third parties, such as for example recruitment agencies and your referees
- publicly accessible sources (e.g., business social networks)

## 4. The kind of information OTTO holds about you

In connection with your application, OTTO will collect, store, and use the following categories of personal information (“**Personal Data**”):

- Information related to your use of the Website, such as:
  - your IP address
  - navigation data on the Website
  - information about your browser and device
  - information collected through cookies, pixel tags and other technologies
  - location information determined based on your IP address or other geolocation technologies
  - information you submit to us through the Website
- your CV, including information we extract from your CV
- your application for a job with OTTO and other information you submit in relation to your application, as well as the information you have provided to OTTO in your application, CV, and covering letter including name, title, address, telephone number, personal email address, date of birth, gender, employment history, skills, and qualifications
- any information (including any survey or test results) you provide during the application, recruiting, interview, or hiring stages
- publicly available information about you on business social networks (such as LinkedIn or Indeed)



Depending on your jurisdiction, we may collect certain special categories of Personal Data about you, such as racial / ethnic origin or disability status, as described below under the “Special Categories of Data” section.

## 5. Purposes and legal basis for the processing

We will use the Personal Data we collect about you to:

a. **allow you to benefit from the features offered by the Website.**

We will provide you with the functionalities offered by the Website, including the ability to browse and apply for job openings, find and receive recommendations for job openings that may be well suited for you, learn more about OTTO, and operate and navigate the Website. OTTO will process your Personal Data on the basis of its legitimate interest to maintain and improve the Website functionalities, the users’ interaction experience, and the effectiveness of OTTO’s HR program, which will be appropriately balanced with your interests

b. **allow you to create your account and apply for a job with OTTO.**

We will assess your skills, qualifications, and suitability for the work and role you apply for by creating your account and populating your candidate profile. We may pre-populate aspects of your candidate profile by using data extracted from the CV you upload. We will process your Personal Data to decide whether to contact you, invite you for an interview, or carry out any other recruitment and hiring activities. If we decide to further consider or offer you a role, we may send you follow-up communications and take up references before confirming your appointment. Without prejudice to any legal obligation for the above purposes, OTTO will process your Personal Data on the basis of consent adopted on your request when you create your account and/or submit your application or CV for a position (i.e. taking steps at your request that are necessary for evaluating or entering a potential employment agreement with you). Failure to provide the Personal Data for these purposes may result in OTTO being unable to process your application or extend you an offer of employment

c. **allow you to use AI based functionality to create a candidate profile and browse potentially suitable roles by uploading your CV.**

We allow you to upload your CV in order to browse available roles for which you may be a match. When you upload your CV, we will create a candidate profile for you (even if you have not applied for a role) so that you can browse roles for which you may be well matched and so we can assess you for and recommend to you suitable current and future roles. We may recommend positions that we believe are well suited to your skills — these positions are determined based on artificial intelligence algorithms, including computer-determined correlations between



aspects of your application and skills necessary for available positions, computer-determined correlations between aspects of your application and the applications of other prior candidates that were found to be well suited to particular types of positions, keyword-based matching and analysis, public information regarding you available on social media (e.g. LinkedIn) and other related functionality. We may communicate to you about current and future roles for which we think you may be a good fit. The use of this functionality will not have a significant impact on you, taking into account that it is provided as a benefit to help streamline your search and that you are also provided with the opportunity to search jobs on the Website through a selection of the relevant filters. OTTO will process your Personal Data for this purpose on the basis of your consent. Please see Section 11, below, for information on how to revoke consent. Failure to provide the Personal Data for this purpose will result in the inability for OTTO to provide you with the use of this functionality.

**d. identify the most suitable candidates and professionals for a given role.**

We use automated or artificial intelligence-based systems to analyse the Personal Data we hold about candidates and other professionals and make decisions based on that data. Such technology is intended to significantly reduce the time needed to determine when candidates are a potential match for the jobs offered. We perform this automatic processing in order to help recruiters to match candidate/professional profiles to job opportunities by suggesting most suitable profiles; to this extent, decisions are not based solely on automated processing. OTTO will process your Personal Data on the basis of its legitimate interest to improve and make its HR processes more effective. Failure to provide the Personal Data for these purposes may result in OTTO being unable to identify suitable positions for you or extend you an offer of employment

**e. keep you updated on open positions that match your profile.**

We send communications via email to update you on job positions that may be of your interest based on your candidate profile. OTTO will process your Personal Data for this purpose on the basis of your consent and you may unsubscribe at any time. Failure to provide the Personal Data for this purpose will have the result of you not receiving communications about new jobs offers by OTTO.

**f. other recruitment and (if you are offered a role) hiring related activities**

We will assess your skills, qualifications, and interests against our current opportunities; collect public information regarding you available on social media (e.g. from LinkedIn and other similar sites); verify your information and carry out reference checks or background checks (where permitted) if you are offered a job; assist you upon request with issues related to immigration or permits; and conduct



other activities related to recruiting or (if you are offered a role) hiring processes. OTTO will process your Personal Data on the basis of pre-contractual measures adopted on your request (i.e. taking steps at your request that are necessary for evaluating or entering a potential employment agreement) as well as our legitimate interest in making our HR processes more effective. Failure to provide the Personal Data for this purpose may result in OTTO being unable to process your application or extend you an offer of employment.

OTTO may also process the Personal Data as we believe necessary: (1) if we determine a policy violation has occurred, to enforce our rights, or to enforce agreements; (2) if we believe such processing is necessary to identify, contact, or bring legal action regarding the rights and property of OTTO or its affiliates; (3) to enforce our rights or protect against unauthorized access to our systems or other inappropriate use of our services, products, or other services; (4) to comply with laws, regulations, court orders and subpoenas or similar requests for information by authorities; (5) to protect your safety and the safety of others; and (6) to assist us in fraud prevention or investigation, all on the basis of its legitimate interest in the continuation of its commercial activities and the protection of its rights.

## **6. Special categories of Personal Data about you**

Depending on your jurisdiction and where permitted by law, we may also capture some special categories of Personal Data about you (e.g. information relating to your racial or ethnic origin, religious or philosophical beliefs, trade union membership, physical or mental health or condition, sexual orientation, political opinions, disability and invalidity, pregnancy, membership to protected categories), where this has been provided or made publically available by you or can be inferred from your application materials. You are invited not to submit Personal Data included in the above special categories, unless it is necessary in order to achieve a specified purpose (to this extent, see below). In jurisdictions where we collect special categories of Personal Data and where a basis for processing is required, this data is processed based on either necessity for compliance with a legal obligation, or your explicit consent.

To this extent, we may process special categories of Personal Data where it is necessary to ensure that we comply with our regulatory obligations with regard to our hiring (e.g., in order to ensure OTTO compliance with law provisions concerning the hiring of people with disability, etc.), to ensure meaningful equal opportunity monitoring and reporting, to comply with other applicable legal or regulatory requirements.

Moreover, we may process special categories of Personal Data to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made to enable our candidates to apply for jobs with us,



to be able to take online/telephone assessments, to attend interviews/assessment centers and to prepare for starting at OTTO (if successful).

As far as permitted under applicable laws, OTTO may process special categories of Personal Data in support of its diversity and inclusion objectives. This may include making inferences about the gender or racial or ethnic origin of a candidate based on application materials.

## 7. Information about criminal convictions

If we would like to offer you a specific role, we may process information about your criminal convictions history, if the law requires us to do so and/or to the extent permitted by the applicable law.

## 8. Data sharing

OTTO will never sell your personal data to third parties. OTTO will only provide your personal data to third parties when we are contractually or legally obliged to do so, or when it is necessary to perform or draw attention to our services, such as:

- To keep you informed of our services; and
- To be able to make you offers;
- To introduce you to our clients;

We have made written agreements with these organizations (where possible and necessary) regarding the handling and security of the personal data and how the use of your Personal data is limited to the purposes we've shared it for.

Your Personal Data may be shared on a need to know basis with:

- Other OTTO companies
- Clients of OTTO companies (companies that use the Services of OTTO Work Force e.g. the company(ies) where you will be working when offered a job)
- Suppliers (e.g., recruitment agencies, IT service providers, and other service providers).
- individuals that you name as references or individuals that referred you for a position
- other businesses in connection with a merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings)
- law enforcement or governmental authorities to comply with laws, regulations, court orders, subpoenas, and similar requests



Any transfer of your personal data outside of your local jurisdiction will be carried out in compliance with applicable Data Protection Laws. For transfers of personal data outside the European Union in particular (both within and outside OTTO), such transfers are carried out based on the following suitable safeguards in accordance with GDPR:

- a. When the European Commission has issued an adequacy decision; or
- b. appropriate safeguards have been provided by or to the OTTO company exporting your personal data including but not limited to standard data protection clauses. Without prejudice to the foregoing, transfer based on standard data protection clauses is accompanied by additional organizational and technical measures, designed to ensure an adequate level of protection of your personal data.

## 9. Data security

OTTO has a high regard for your privacy. For this reason we take various measures to prevent loss, theft or other unlawful use of your personal data. Where necessary, we use encrypted communication and secure connections. We also take the necessary measures with regard to physical and logical access security. The measures OTTO has taken are under continuous evaluation and will be changed or complemented when necessary to retain a sufficient level of security.

## 10. Data retention

We do not retain your personal data any longer than is necessary to achieve the purposes set out in this privacy statement or when we have to comply with statutory retention periods. Insofar as it concerns personal data that you have provided in the context of employment mediation, we apply the following retention periods. First of all, you may always ask us to delete the data you have provided. If you do not do so, we will keep your data for a period of:

- 1 months after registration when you've consented to the use of your personal data only for the job you've applied for and you didn't get the job;
- 6 months after registration when you've consented to the use of your personal data only for the job you've applied for, and you've got the job;
- 1 year after consenting to the use of your personal data for future recruitment purposes; unless the personal data is necessary for compliance with a statutory retention obligation, as is the case with tax relevant data or ID documents.

If you have applied for a staff position (a permanent position at the OTTO organization itself) and have been rejected, OTTO stores some basic data. We do this based on our Legitimate interest. OTTO saves this data in order to make the recruitment process efficient in the future. We keep this data for a maximum of 2 years after the application process has been completed. If you object to this, you can ask us to delete this data. Please read section 11 how to exercise your right to object to this processing. All other personal data will be deleted 6 months after the application procedure has been completed, unless you have consented to the use of your personal data for future





recruitment processes to keep the personal data for one year after the application procedure has been completed. You can withdraw your consent at any time.

## 11. Your rights under the Data Protection Laws

To the extent this is provided for under the applicable Data Privacy Laws for your location, you may have the right to:

- **be informed** on the purposes and methods of the processing of your Personal Data
- **request access** to your Personal Data (commonly known as a “data subject access request”). This enables you to receive a copy of the Personal Data OTTO holds about you
- **request of update or correction** of your Personal Data that is incomplete or inaccurate
- **object to processing** of your Personal Data on grounds relating to your particular position where OTTO is relying on legitimate interests (or those of a third party). In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms
- **request the restriction of processing** of your Personal Data. This enables you to ask OTTO to suspend the processing of Personal Data about you where one of the grounds under art. 17 GDPR applies
- **receive in a structured, commonly used and machine-readable format** Personal Data concerning you and provided by you, as well as to transmit those Personal Data to another controller, in the cases and within the limits referred to in art. 20 GDPR, where applicable
- **request erasure** of your Personal Data, where one of the grounds under art. 17 GDPR applies
- **withdraw given consent** to the processing of your Personal Data and/or special categories of Personal Data at any time. without prejudice to the lawfulness of the processing based on your consent before its withdrawal.
- **obtain information about third parties** with whom your data has been shared.





Where available, these rights (as well as any other right provided for by applicable Data Protection Laws) may be exercised by sending an e-mail to:

For all Polish entities	:	<a href="mailto:mojedane@ottoworkforce.pl">mojedane@ottoworkforce.pl</a>
For all Dutch entities	:	<a href="mailto:mydataNL@ottoworkforce.eu">mydataNL@ottoworkforce.eu</a>
For all German entities	:	<a href="mailto:Datenschutz@ottoworkforce.eu">Datenschutz@ottoworkforce.eu</a>
For Bulgaria	:	<a href="mailto:mydataBG@ottoworkforce.eu">mydataBG@ottoworkforce.eu</a>
For Croatia	:	<a href="mailto:mydataCRO@ottoworkforce.eu">mydataCRO@ottoworkforce.eu</a>
For the Czech Republic	:	<a href="mailto:mydataCZ@ottoworkforce.eu">mydataCZ@ottoworkforce.eu</a>
For Hungary	:	<a href="mailto:mydataHU@ottoworkforce.eu">mydataHU@ottoworkforce.eu</a>
For Moldova	:	<a href="mailto:mojedane@ottoworkforce.pl">mojedane@ottoworkforce.pl</a>
For Romania	:	<a href="mailto:mydataROM@ottoworkforce.eu">mydataROM@ottoworkforce.eu</a>
For Ukraine	:	<a href="mailto:mojedane@ottoworkforce.pl">mojedane@ottoworkforce.pl</a>
For Slovakia	:	<a href="mailto:mydataSK@ottoworkforce.eu">mydataSK@ottoworkforce.eu</a>

OTTO may need to request specific information from you to confirm your identity and ensure your right to access your Personal Data (or to exercise any of your other rights). This is another appropriate security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it.

Without prejudice to any administrative or legal remedy, you also have the right to lodge a complaint to the competent supervisory Authority, if you believe that processing of your data breaches the Data Protection Laws.

## 12. Data Controller and Data Protection Officer details and contacts

OTTO consists of multiple entities in different countries in Europe. The OTTO organization is service orientated organized per country. To deliver Services to the clients in the Netherlands and Germany, the entities in The Netherlands (1.1) and Germany (1.2) closely work together with the entities that perform International Recruitment activities in Central and Eastern Europe (1.3). The entities in Poland (1.4) are supported by recruitment entities in Ukraine and Moldova.

The Group of OTTO Companies consists of the following companies:

### 1.1 Nederland:

- OTTO Holding B.V.
- OTTO Nederland B.V.
- OTTO Germany B.V.
- Labour Housing B.V.
- OTTO Facilitair B.V.
- OTTO Jobs.eu B.V.
- OTTO Vervoer B.V.



**OTTO WORK FORCE**

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PO box 5145 • 5800 GC Venray

T + 31 478 529 999

F + 31 478 529 900

info@ottoworkforce.eu

[www.OTTOworkforce.com](http://www.OTTOworkforce.com)

- OTTO Work Force B.V.
- OTTO Work Force I B.V.
- OTTO Work Force III B.V.
- OTTO Work Force IV B.V.
- Axell Beheer B.V.
- Timmermans Housing B.V.
- Axell Nederland B.V.
- Joep van Wezel B.V.
- V.O.F. Axell
- Beheer Uitzendbureau Polen B.V.
- Beheer Uitzendbureau Nederland B.V.
- Werkpool Flex B.V.
- Foreign Flex B.V.

**1.2 Germany:**

- OTTO Deutschland GmbH
- OTTO Work Force Deutschland GbmH
- OTTO Work Force Nord GmbH
- OTTO Work Force Mitte GmbH
- OTTO Work Force Süd GmbH
- OTTO Work Force Stuttgart GmbH

**1.3 International Recruitment**

- OTTO Work Force Recruitment Sp. z o.o. (Poland)
- OTTO Work Force Czech s.r.o. (Czech Republic)
- OTTO Work Force Slovakia s.r.o. (Slovakia)
- OTTO Work Force Hungary kft. (Hungary)
- OTTO Work Force ROM s.r.l. (Romania)
- OTTO Work Force d.o.o. (Croatia)
- OTTO Work Force Bulgaria ltd. (Bulgaria)
- Axell Holandia Sp. Z.o.o. (Poland)
- Axell Hungary KFT (Hungary)

**1.4 Poland**

- OTTO Work Force Central Europe Sp. z o.o.
- OTTO Work Force International sp. z o.o.
- OTTO Work Force Solutions Sp. z o.o.
- OTTO Work Force Europe Sp. z o.o.
- OTTO Finance Sp. z o.o.
- Paris Engineers Sp. z o.o.
- Axell Polska 2004 Sp. Z.o.o.
- Axell Polska 2012 Sp. Z.o.o.
- Axell Inhouse Services Sp. Zo.o.



All entities mentioned above support the delivery of services to OTTO clients in The Netherlands, Germany and Poland. For this purpose OTTO has entities that focus on:

- Recruiting employees
- Contracting clients
- Contracting employees
- Providing Housing related Services
- Providing Transport related Services

Personal data is shared between entities as far as required for providing Services to candidates, employees and customers. When data is shared, all entities act as joint Data Controller.

Who the primary Data Controller is depends if you have signed an employment contract or if you were a candidate:

- (Former) Candidate (up and until signing the employment contract):  
The recruitment entity in the country you've been applying for a job
- (Former) Employee (after signing the employment contract):  
The Contracting entity in the country you've been working / you are going to work

The Polish entities have appointed a Data Protection Officer, she can be contacted:  
E-Mail: [mojedane@ottoworkforce.pl](mailto:mojedane@ottoworkforce.pl)

The German entities have appointed a Data Protection Officer, he can be contacted:  
E-Mail: [Datenschutz@ottoworkforce.eu](mailto:Datenschutz@ottoworkforce.eu)

The Dutch entities have appointed the Privacy Officer. He can be contacted:  
E-mail: [mydataNL@ottoworkforce.eu](mailto:mydataNL@ottoworkforce.eu)

### 13. Amendments and Updates

We keep this Privacy Notice under regular review. We may update this Privacy Notice to reflect changes to our privacy practices. We encourage you to periodically review our Privacy Notice for the latest information on our privacy practices.

