

CONDITIONS AND INFORMATION ON PROCESSING OF PERSONAL DATA – “Selection procedure”

eGroup Solutions, a. s., Plynárenská 7/B, 821 09 Bratislava - mestská časť Ružinov, CIN: 44 989 709, established in accordance with the legal regulations of the Slovak Republic, kept in the Commercial Register of the Municipal Court Bratislava III, Section Sa, Entry No. 4875/B ("eGroup Solutions, a.s.") as the controller obtains and processes personal data of data subjects, to whom it hereby provides information in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27.04.2016 on the protection of individuals with processing personal data and on the free movement of such data, repealing the Directive 95/46/EC ("GDPR") and with regard to the Act No. 18/2018Coll. on the protection of personal data and on the amendment of certain acts ("APPD").

Depending on the type of relationship with the controller, the table below sets out the purposes of personal data processing (the "PD"), from which the category of data subjects is evident, the legal basis for their processing and the time for which the controller will process the PD.

Data subjects	Purpose of processing the PD	Legal basis for processing the PD	Processing time	Recipients
<p><u>job seekers</u> (i.e. persons who have expressed an interest in becoming an employee of the controller on the basis of a selection procedure organized by the controller as a potential employer for a specific job position)</p> <p><u>successful job seekers</u> (i.e. selected jobseekers, who are persons who have expressed an interest in becoming an employee of the controller on the basis of a selection procedure organized by the controller as a potential employer for a specific position and who have been successful in the selection procedure)</p>	<p>STAFF AGENDA - JOBSEEKERS</p> <p>Note: the purpose of processing personal data is to conduct a selection procedure</p>	<p>Processing is necessary, within the meaning of Article 6(1)(b) of the GDPR - CONTRACTUAL and PRE-CONTRACTUAL RELATIONS - to implement, at the request of the data subject, measures before the conclusion of the contract to which the data subject is to be a party</p> <p>At the same time, processing is within the meaning of Article 6(1)(c) of the GDPR in order to meet the LEGAL OBLIGATIONS of the controller resulting from the Act No. 311/2001 Coll. Labour Code.</p> <p>Processing of a SPECIFIC CATEGORY of PD in the case of <u>successful job seekers and their close relatives</u> is, pursuant to Article 9(2)(b) of the GDPR, NECESSARY FOR THE PURPOSES OF PERFORMING OBLIGATIONS and exercise of special rights of the controller or the data subject IN THE FIELD OF LABOUR LAW and social security and social protection law</p>	<p>for the duration of the selection procedure and no later than 6 months after the date of conclusion of the selection procedure</p>	<p>entities to which the disclosure of personal data is required by law for the operator, a company operating a website advertising vacancies, e.g. Profesia; professional consultants and advisors who are bound by a legal and/or contractual obligation of confidentiality; Profesia and its subcontractors provide administration of the jobseekers' system - MARK</p>
<p>Natural persons exercising their rights as data subjects</p>	<p>AGENDA FOR DEALING WITH THE RIGHTS OF THE DATA SUBJECT</p> <p>(Records of exercised rights of data subjects under Chapter III of the Regulation 2016/679 on the protection of</p>	<p>Processing is within the meaning of Art. 6 par. 1 letter c) of the GDPR necessary for meeting of the LEGAL OBLIGATIONS of the controller arising from the GDPR and from the Act No. 18/2018 Coll. on the protection of personal data</p>	<p>5 years following the year in which the application was processed</p>	<p>entities to which the controller provides PD by law, professional consultants and advisors who are bound by legal and/or contractual obligation of confidentiality</p>

	individuals with regard to the processing of personal data and on the free movement of such data)			
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The controller does not disclose personal data to any third parties other than those required by law or these terms and conditions for processing personal data. The controller does not directly transfer personal data to third countries (outside the European Union/European Economic Area). In the case of the selection process, the controller uses Profesia as an intermediary for the job portal provider, with whom it has concluded an intermediary contract. The intermediary Profesia has subcontractors, one of which is Functional Software Inc. (Sentry) 132 Hawthorne Street, San Francisco, California 94107, USA, with which it has a contract in accordance with the European Commission Decision of 7 June 2021 on standard contractual clauses for the transfer of personal data to processors established in third countries pursuant to Directive 95/46/EC of the European Parliament and of the Council, due to the existence of the judgment of the Court of Justice of the EU (Grand Chamber) of 16 July 2020 in case C 311/18). See <https://www.profesia.sk/ochrana-osobnych-udajov> for more information. The Data Controller does not process personal data for the purpose of carrying out automated decision-making, including profiling.

In the event that for any of the purposes of processing, the legal basis for the processing of personal data is the performance of the contract, the provision of such data constitutes a contractual requirement for performance under the contract in question. In the absence of this information, it is not possible to enter into a contractual relationship or subsequent performance of obligations under the contract.

If the legal basis for the processing of personal data is the law (meeting of legal obligations), the provision of such data is a legal requirement. If this information is not provided, it is not possible to ensure proper meeting of the eGroup Solutions, a.s.'s obligations arising from the relevant general legal regulations.

The Controller can also obtain PD primarily from the data subjects. The Controller can also obtain personal data from its employees who have recommended a job seeker, or another candidate in the scope of his/her identification data, or other really necessary data related to the selection procedure and the candidate's recommendation.

eGroup Solutions, a. s. may also obtain PD from publicly available sources such as LinkedIn or other public registers. The Controller may also obtain personal data from third parties, especially in connection with the conclusion or performance of the contract, of which the Controller must inform the data subject in accordance with the relevant legal regulations, e.g. in the case of references. In the event that PD from a person other than directly the data subject is provided to the controller, by providing such personal data the provider confirms that he has consent of the data subject, whose data are provided to the company of the controller, to the processing of his PD in accordance with the provisions in § 78 par. 6 APPD.

In relation to the processing of personal data, the data subject shall in particular have the following rights:

- 1) upon application, request from eGroup Solutions, a. s. confirmation of whether its PD are processed or not (**access to personal data**), under what conditions, including the scope, purpose and time of their processing, and information on the source of the personal data concerned;
- 2) upon application, request from eGroup Solutions, a. s. correction of incorrect or outdated personal data, or completion of incomplete personal data;
- 3) upon application, request from eGroup Solutions, a. s. **erasure/destruction of personal data** if:
 - a) personal data are no longer needed for the purpose for which they were obtained or otherwise processed,
 - b) in cases where personal data have been processed on the basis of consent and this consent to the processing of personal data has been revoked, there is no other legal basis for the processing of personal data or another legal exception;
 - c) if the data subject objects to the processing of personal data on grounds of legitimate interest and there are no legitimate reasons for the processing or the data subject objects to direct marketing;
 - d) personal data are processed illegally;
 - e) personal data must be deleted in order to comply with the legal obligation;

- 4) upon application, request from eGroup Solutions, a. s. restrictions on the processing of personal data if:
- a) the data subject objects to the accuracy of the personal data during the period allowing eGroup Solutions, a. s. to verify the accuracy of personal data;
 - b) the processing of personal data is illegal and the data subject objects to the deletion of personal data and calls instead for restrictions on their use;
 - c) eGroup Solutions, a. s. no longer needs personal data for the purpose of processing personal data, but the data subject needs it to assert a legal claim;
- 5) to file **an application for the opening of proceedings** at the Office for the protection of personal data of the Slovak Republic.

Applications for the above rights shall be made by the data subject entitled to its exercise at the responsible person at the address dpo@egroup.sk, in person or by post at the registered office of the controller. The subject of both the e-mail and the letter should include the protection of personal data "Selection procedure".

Replies to those applications from the data subjects or measures taken on the basis of those applications shall be given free of charge. Where the application of the data subject is manifestly unfounded or disproportionate, in particular due to its repeated nature (repeated application), eGroup Solutions, a. s. has the right to charge a fee taking into account its administrative costs of providing information or a reasonable fee taking into account its administrative costs of notification, or to take the requested action or has the right to refuse to act on such an application.

In case of doubt about compliance with the obligations related to the processing of personal data, you can directly contact eGroup Solutions, a. s., i.e. the responsible person. At the same time, you have the opportunity to file a complaint with the Office for Personal Data Protection of the Slovak Republic, with the registered office at Hraničná 12, 820 07 Bratislava 27, E-mail: statny.dozor@pdp.gov.sk, www: <https://dataprotection.gov.sk/>.