

## Oerlikon Privacy Notice for Job Applicants

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*Last update: November 2020*

**Oerlikon, is committed to protecting your privacy and personal data.**

**You should read this Privacy Notice before creating an account and accessing our e-Recruiting platform and before applying to any job offer at Oerlikon.**

**This privacy notice explains how Oerlikon uses your personal data during a recruitment process, the rights that you have on your personal data and how to exert them.**

By “**Oerlikon**”, we mean all and every legal entity of the Oerlikon Group. By “Oerlikon Group” we mean OC Oerlikon Corporation AG, Pfäffikon (Switzerland) and all its subsidiaries.

By “**personal data**”, we mean any information that may directly or indirectly identify a job applicant.

#### 1. Who is responsible for the collection and use of your personal data?

The legal entity responsible for the use of your personal data (the “Data Controller”) is the Oerlikon entity proposing the job offer/position you are applying for. This Oerlikon entity is identified in the relevant job description.

If you choose not to share your profile solely with the Oerlikon entity at the origin of a specific job offer, but to look for opportunities with other Oerlikon entities as well, all the Oerlikon entities accessing your profile will be jointly responsible for the use of your personal data (“Joint Controllers<sup>[1]</sup>”).

#### 2. What personal data about you do we collect and use in the selection process?

The personal data that Oerlikon collects in order to manage recruitment processes in line with applicable laws are :

- personal data collected from you : name, surname, date of birth (optional), home address, phone number, email address, CV information with career history, education, certifications, additional skills or knowledge and any other information that would be required from job applicants in order to comply with local laws (i.e. we do not collect any sensitive data about job applicants, as race or religion, except in countries where local laws, notably anti-discrimination

laws, so require), or that candidates deem relevant to provide us with, in order to better assess their professional skills.

- personal data that we collect from other sources: as when:
  - o external recruitment agencies or temp agencies provide us with your CV
  - o we consult your professional profile as available on professional social media only as LinkedIn or Xing; or
  - o we perform any due diligence legally required in the country where the Oerlikon entity at the origin of a job offer, is located.
  - o the recruitment team of the Oerlikon entity you are applying to may decide, with your prior consent, to contact your previous employer.

### **3. What is the legal basis for collecting and processing such data?**

Oerlikon collects personal data relating to job applicants on the basis of:

- the necessity to comply with laws and regulations applicable to the Oerlikon entity at the origin of a job opportunity and recruitment process;
- the legitimate interest to assess and select appropriate job applicants for a specific job ;
- the necessity to negotiate with the selected candidate, the terms of a job offer and employment contract;
- the right to defend its rights before a court where necessary.

We leverage on your prior consent to keep your personal data in our job applicants pool during 2 years , for sharing it within the Oerlikon group or for contacting your former employer.

### **4. Why do we collect and use personal data about you?**

We collect and use your personal data to assess and select job applicants in line with applicable laws, our Code of conduct as well as our policies and business needs.

### **5. For how long do we store your personal data?**

If your application is successful:

- your personal data will be kept in our HR systems for the duration of your employment relationship and will then be archived only for legal purposes for the applicable statute of limitation period.

**If your application is not successful:**

- any original document provided, copies of passport/ID cards or official documents issued by public authorities, will be immediately returned to the applicant;
- the CV, application and any tests will be archived by Oerlikon for the statute of limitation applicable in the country of the Oerlikon entity you are applying to. It will be archived for legal reasons only, in order to answer your questions, respond to a complaint, defend our rights before a court in case of a litigation. For example our Oerlikon entities in the:
  - o EU/EEA, Switzerland, Latin America (except Mexico), APAC (except China and Hong Kong): will archive job applicants' data for a maximum period of 6 months;
  - o US, Mexico: will archive job applicants' data during 1 year;
  - o Hong Kong: will archive job applicants' data for 2 years;
- with your prior consent: we will keep your personal data (identification data, CV and application) in our "job applicant pool", for future job opportunities, for a maximum period of 2 years;
- please note that you will be able to delete your profile from our active" job applicants pool" at any time, by logging into your candidate profile and selecting the "Delete Profile" option in the section "My Profile". For off line recruitment processes, you will otherwise be able to request the deletion of your profile at any time to the HR person mentioned as the point of contact for the job offer you responded to.

**6. Who has access to your personal data?**

Your personal data will be accessed only by Oerlikon employees involved in the recruitment process:

- HR department of the Oerlikon entity/entities you are applying to;
- Hiring managers within the recruiting Oerlikon entity/entities;
- Works council where applicable;
- Oerlikon entities and external suppliers providing IT services including data storage;
- Our central or local compliance and legal teams in case of a litigation or verification required by local law or regulator;
- Providers of HR and recruitment services.

**7. In which country the e-Recruiting platform is stored?**

Our data center and backup systems are located in Europe.

**8. What are your rights on your personal data collected through our e-Recruiting platform?**

You have the rights to request:

- information about what personal data is collected about you, how it is used and obtain a copy of it
- the correction or deletion of your personal data if it is incomplete or incorrect;
- a restriction of use of your personal data or object to the use of your personal data and require Oerlikon to not further store and use your personal data where you have a legitimate reason for doing so. If you object, we will no longer process your personal data unless we can prove compelling legitimate reasons for the processing, which outweigh your interests, rights and freedoms, or if we need to keep storing or using your personal data to comply with applicable laws or exercise or defend our rights before a court or regulator;
- the withdrawal of any consent given for a certain use of your personal data (e.g. keeping your profile during 2 years after your initial application). Such withdrawal will apply for the future only but not retroactively.
- a human review of any decision that would be made exclusively through an automated processing (e.g. algorithms), you also have the right to challenge the results of such automated processing and require explanations. For the avoidance of doubts, at Oerlikon, every recruitment process is conducted by a recruitment team composed of the Human Resources team members of the Oerlikon entity at the origin of the recruitment process and the concerned hiring manager(s), in compliance with our Code of Conduct and applicable employment laws;
- To lodge a complaint with the competent data protection authority in the country where the Oerlikon Entity/entities at the origin of the job opportunity you applied for is located (its name and address is mentioned in the job offer).

Job applicants using the e-Recruiting tool can always amend or delete their profile online through their own account. For any request concerning the recruitment and whether your application has been accepted or not and why, you can contact the person responsible for the recruitment indicated in the concerned job offer.

For any other request or concern concerning the use of your personal data by any Oerlikon entity, you contact the relevant Data Protection Officer (please refer to part II of this Privacy Notice for the contact details of our Data Protection Officers).

When you write to the Data Protection Officer, please specify: your name, surname, a valid email address, the concerned job offer you responded to, the nature of your request/concern and the scope of personal data covered by your request.

## II. Contact details of relevant data protection officer:

### Contact details of Oerlikon Data Protection Officers by country:

#### v Germany

**OMF segment:** for Oerlikon Textile GmbH & Co. KG (i.e. Oerlikon Barmag, Oerlikon Neumag, Oerlikon Nonwoven, Oerlikon Barmag Automation):

- Email address of **Data Protection Officer:** [dsb.manmade-fibers@oerlikon.com](mailto:dsb.manmade-fibers@oerlikon.com).

**OSS Segment:** for Oerlikon Surface Solutions in Deutschland, Oerlikon Frictions Systems (Germany) GmbH, Oerlikon Metco Coatings GmbH, Oerlikon Metco Coatings Services GmbH, Oerlikon Metco WOKA GmbH, Oerlikon Metco Europe GmbH, Oerlikon Metaplas GmbH, Oerlikon Balzers Coating Germany GmbH, Oerlikon AM Europe GmbH, Oerlikon AM GmbH, Oerlikon Research Institute GmbH)

- Email address of **Data Protection Officer:** [michael.mathias@proba-it.de](mailto:michael.mathias@proba-it.de).

#### v Other countries:

Email address of **Group data protection officer:** [privacy.corporate@oerlikon.com](mailto:privacy.corporate@oerlikon.com).