

Data Privacy Policy Employees

AutoForm Engineering B.V.

– Information in accordance with Art. 13, 14 and 21 of the General Data Protection Regulation (GDPR) –

This human resources privacy policy sets out how AutoForm Engineering B.V. (hereafter AutoForm) uses and protects any personal data (see Article 4 No. 1 GDPR) of its employees.

1. Who is responsible for processing of personal data and whom you can approach

Controller of the processing of personal data is: AutoForm Engineering B.V., Rhijnspoor 221, 2901 LB Capelle aan den IJssel

You can contact us about data protection related matters under the above mentioned address or via email: privacy@autoform.nl

2. What personal data do we process

We process the following personal data or categories of personal data provided by you, e.g. through a personnel questionnaire:

- Master data (e.g. name, birth name, address, date, country and place of birth, nationality, gender, marital status, email address, phone number)
- Education data (e.g. school-leaving qualifications, company-based training, university degree)
- Employment master data (e.g. data about other jobs)
- Photo
- Bank account number
- Tax data: (e.g. tax number, tax class)
- Insurance number
- Data about parenthood
- Data about disabilities
- Data about social security (e.g. statutory health insurance, pension insurance)
- Data about previous periods of taxable employment during calendar year of employment with AutoForm
- Individually agreed tasks, goals and development measures
- Your evaluation of the work situation and cooperation by employees
- Data about travel expenses (e.g. type of travel, begin and end, purpose, costs)
- Data about absence (e.g. due to illness, holiday)
- Data from external companies related to reintegration after sickness or work-related conflicts
- Data about the use of a pool car (e.g. details about rides in a logbook)
- Declaration of objection regarding the electronic transmission of certificates to the Federal Employment Agency
- Privacy statements (consent to the processing of personal data, revocation of your consent; objections to the processing of personal data; statements asserting your rights of access, to rectification, erasure, restriction of processing, and data portability, including the information you provide us by asserting your rights)

We process the following personal data or categories of personal data that we have generated ourselves:

- Employment master data (e.g. personnel number, type of contract/ employment, entry date, place of employment, job performed, description of profession, weekly working hours, hourly wage, remuneration, holiday entitlement, data about probation period, data about temporary employment, data about apprenticeship)
- Timekeeping data (e.g. presence per week, type and duration of activities per week)
- Data about the use of a company car, if applicable
- Data about qualifications and received training
- Video recordings of reception in the entrance area
- Evaluation of your work by your supervisor

We process the following personal data or categories of personal data provided by third parties.

- Telephone connection data (anonymized overview of connections) and total sum of phone bill

3. For how long do we retain personal data

We will not retain your personal data longer than necessary in relation to the purposes for which the data are processed, which means in principle for employees:

- we will delete your personal data ultimately two year after the termination of the employment agreement.

In spite of the foregoing, we may retain your personal data for a longer period to comply with an applicable minimum statutory retention period, which means:

- Employment contracts and related records (including wage records, marital status and pension scheme records), should be retained for at least 7 years after the end of the employment agreement, if there is a fiscal relevance (article 2:10 Dutch Civil Code and 3:15i Dutch Civil Code, 52 State Taxes Act, 169 Pension Act).
- Employee tax declarations and copies of passports, should be retained for at least 5 years from the end of the employment agreement (article 7.5 Implementing Regulations to the Wages and Salaries Tax Act).

4. For what purpose and on what legal basis do we process personal data

We process your personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) for various purposes. In principle, we may process your personal data in the following cases: Processing is necessary for the performance of a contract or in order to take steps prior to entering a contract (Art. 6 (1) lit. b GDPR), processing is necessary for the purposes of our legitimate interests (Art. 6 (1) lit. f GDPR), processing is necessary for compliance with a legal obligation (Art. 6 (1) lit. c GDPR).

In detail we process your personal data for the following purposes and based on the following legal bases:

Purpose / legitimate interest	Processed data or category of data	Legal basis
Administration of employees	Master data; Education data; Employment master data; Photo; Bank account number; Tax data; Insurance number; Data about parenthood; Data about disabilities; Religious affiliation; Data about social security; Data about previous periods of taxable employment during calendar year of employment with AutoForm; Individually agreed tasks, goals and development measures; Your evaluation of the work situation and cooperation by employees; Data about absence; Declaration of objection regarding the electronic transmission of certificates to the Federal	Art. 6 (1) lit. f GDPR

Purpose / legitimate interest	Processed data or category of data	Legal basis
	Employment Agency; Data about the use of a company car, if applicable; Evaluation of your work by your supervisor.	
Payment of employees	Master data; Employment master data; Bank account number; Tax data; Insurance number; Data about parenthood; Data about disabilities; Religious affiliation; Data about social security; Data about the use of a company car, if applicable; Evaluation of your work by your supervisor.	Art. 6 (1) lit. c GDPR
Timekeeping (e.g. for determination of workload of employees)	Master data; Timekeeping data.	Art. 6 (1) lit. f GDPR
Administration and checking of usage of pool cars	Master data; Data about the use of a pool car.	Art. 6 (1) lit. f GDPR
Travel expense accounting	Master data; Data about travel expenses.	Art. 6 (1) lit. f GDPR
Salary report to implement salary structure and fairness of salary; to balance with the budget	Master data; Employment data.	Art. 6 (1) lit. f GDPR
Talent management of employees	Master data; Data about Qualifications and received training.	Art. 6 (1) lit. f GDPR
Video surveillance of reception in the entrance area	Video recordings of reception in the entrance area.	Art. 6 (1) lit. f GDPR
Storage of contact details and photos of employees in the intranet for easier communication	Master data; Photo.	Art. 6 (1) lit. a GDPR
Accounting activities to meet the legal and business requirements: posting of Purchase-Invoices; cash remittance; cash on hand postings; posting of fixed assets (inventory sheet)	Master data, Bank account number, Data about travel expenses, Data about the use of a pool car, Education Data.	Art. 6 (1) lit. f GDPR
Transfer of personal data to parent company AutoForm Engineering GmbH in order to achieve a uniform corporate employment policy	Master data; Education Data; Employment Master Data; Individually agreed tasks, goals and development measures; Evaluation of the work situation and cooperation by employees; Data about absence; Salary data.	Art. 6 (1) lit. f GDPR
Assertion, exercise or defense of legal claims	Master data; All data or categories of data that are relevant to the legal claim.	Art. 6 (1) lit. f GDPR
Consent management (administration of data protection consent and revocation statements)	Master data; Privacy Statements.	Art. 6 (1) lit. c GDPR
Affected rights management (processing of data subjects' requests for access, rectification, erasure, restriction and/ or data portability; processing of data subjects' objection pursuant to Art. 21 GDPR)	Master data; Privacy statements; All data or categories of data that are the subject of the request.	Art. 6 (1) lit. c GDPR

5. Who receives your personal data

a) Processors

We may use service providers who process personal data on our behalf (see Art. 4 No. 8 GDPR).

- Tax accountant for payment of salary
- IT service providers
- Pension providers
- Insurances companies
- Travel agency
- Expense management

b) Controllers

In some cases we share your personal data with the following affiliated companies as third party controllers (see Art. 4 No. 7 GDPR):

- AutoForm Engineering GmbH, Unterdorfstrasse 12, 8808 Pfäffikon SZ, Switzerland

6. Transfer of personal data to a Third Country

We will transfer your data to the following entities in the respective third countries:

- AutoForm Engineering GmbH, Unterdorfstrasse 12, 8808 Pfäffikon SZ, Switzerland

The European Commission has released an adequacy decision regarding data transfer to Switzerland, attesting Switzerland an adequate level of data protection.

7. Are you obligated to provide personal data

You only need to provide us with personal data that is necessary for the initiation, execution and maintenance of an employment relationship or that we are legally required to collect in this regard. Without this personal data, we cannot enter into or maintain an employment relationship.

8. Automated decision-making and profiling

We do not use your personal data in any kind of automated decision-making.

9. Your Rights

Every data subject has the right of access (Art. 15 GDPR), the right to rectification (Art. 16 GDPR), the right to erasure (Art. 17 GDPR), the right to restriction of processing (Art. 18 GDPR) and the right to data portability (Art. 20 GDPR). To exercise those rights, you can contact us under the contact information given in section 1. – “Who is responsible for the processing of personal data and whom you can approach”.

As far as the personal data is processed for the purpose of our legitimate interest according to Art. 6 (1) lit. f GDPR, you have the right to object following Art. 21 GDPR. You can find further information regarding your right to object at the end of this privacy policy.

In addition, if you are of the opinion that the processing of your personal data is unlawful, you have the right to lodge a complaint with the Autoriteit Persoonsgegevens, with the website autoriteitpersoonsgegevens.nl. (Art. 77 GDPR). This right to complain is without any prejudice to any other administrative or judicial remedy.

Information about your right to object in accordance with Art. 21 General Data Protection Regulation (GDPR)

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you on the basis of Art. 6 (1) lit. f GDPR (processing of personal data based on a balancing of interests); this includes profiling based on those provisions (Art. 4 No. 4 GDPR).

Should you decide to object the processing, we will stop to process personal data concerning you, unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing serves the purpose of establishment, exercise or defence of legal claims.

The objection is not subject to any form. Ideally, it should be lodged at the body mentioned in 1. – “Who is responsible for the processing of personal data and whom you can approach”.