

Data protection information for applicants

Information on data protection regarding our processing of applicants' data under Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)

1. Office responsible for data processing and contact data

responsible office in the meaning of data-protection law
Kokusai Semiconductor Europe GmbH
Human Resources Department
Gruitener Str. 3
40699 Erkrath
Telefon: 02104-9655-17
E-Mail-Adresse: kirsten.neumann@kokusai-se.com

Contact data of our data-protection officer:
Kokusai Semiconductor Europe GmbH
Data-protection officer
HEC Harald Eul Consulting GmbH
Gruitener Str. 3
40699 Erkrath
E-Mail-Adresse: datenschutz@kokusai-se.com

2. Purposes and legal foundations upon which we process your data

We process personal data in accordance with the stipulations of the General Data-Protection Regulation (GDPR), the German Federal Data-Protection Act (Bundesdatenschutzgesetz - BDSG) and other applicable data-protection provisions. Details are provided in the following. You will find further or additional details regarding the purposes of data-processing in the respective contractual documents, forms, a declaration of consent, and other information made available to you.

2.1 Purposes pursuant to fulfilment of an agreement or pre-contractual measures (Art. 6, section 1 b of the GDPR)

Personal data is processed in order to establish your application for a specific job advertisement or as an unsolicited application, in particular, for the following purposes. Checking and assessing your suitability for the position to be filled, performance and behavioural evaluation to the extent allowed by law if necessary for registration and authentication for application via our website, if necessary for drawing up the employment contract, traceability of transactions, orders and other covenants and agreements as well as for quality control through appropriate documentation, measures to fulfil general diligence obligations, statistical assessments pursuant to company steering; travel and event management, travel reservation and travel cost settlement, authorisation and identification administration, cost recording and controlling, reporting system, internal and external communication, accounting and tax assessment of company benefits (e.g. canteen meals), settlement of company credit card, occupational health and safety, contract-related communication (including appointments) with you, assertion of legal claims and defence in the event of legal disputes; ensuring IT security (*inter alia* system and plausibility tests) and general security, *inter alia* building and plant security, ensuring respect for company rules by means of appropriate measures, including if applicable video monitoring to protect third parties and our staff or to prevent criminal acts and to secure evidence in the event of criminal acts being committed; ensuring integrity, preventing and uncovering criminal acts; authenticity and availability of data, controls by supervisory bodies and control instances (e.g. auditing).

2.2 Purposes within the framework of a legitimate interest on our part or of third parties (Art. 6, section 1 f of the GDPR)

Above and beyond the actual fulfilment of the (pre-)agreement, we process your data whenever this is necessary to protect legitimate interests of our own or of third parties. Your data shall only be processed to the extent that you do not have any overriding interests against such processing such as in particular for the following purposes:

- Measures intended to further develop existing systems, processes and services;
- Comparisons with European and international anti-terror lists to the extent such go above and beyond statutory obligations;
- Enrichment of our data, *inter alia* through usage or research of publicly available data to the extent such is required;
- Benchmarking;
- Development of scoring systems or automated decision-making processes
- Building and plant security (e.g. through access controls and video monitoring) to the extent such go above general diligence obligations; internal and external investigations, safety tests;

2.3 Purposes within the framework of your consent (Art. 6, section 1 a of the GDPR)

Your personal data can also be processed for certain purposes (e.g. obtaining references from previous employers or using your data for subsequent vacancies) including as a result of your consent. As a rule, you can revoke this consent at any time. You shall be separately informed about the consequences of revocation or refusal to provide consent in the respective text of the consent.

Generally speaking, revocation of consent only applies to the future. Processing that takes place prior to consent being issued is not affected by such and remains lawful.

2.4 Purposes relating to adherence to statutory requirements (Art. 6, section 1 c of the GDPR) or in the public interest (Art. 6, section 1 e of the GDPR)

Just like any actor which takes part in business life, we are also subject to a large number of legal obligations. These are primarily statutory requirements (e.g. the German Industrial Relations Act (Betriebsverfassungsgesetz), the German Social Code, commercial and tax laws), but also if applicable supervisory law or other requirements set out by government authorities (e.g. employer's liability insurance association). The purposes of processing may also include identity and age checks, prevention of fraud and money laundering (e.g. comparisons with European and international anti-terror lists), company health management, ensuring occupational health and safety, compliance with control and notification obligations under tax law as well as the archiving of data for the purposes of data protection and data security as well as for purposes of audits by tax advisors/auditors, fiscal and other government authorities. In addition, it may be necessary to disclose personal data within the framework of official government/court measures for the purposes of collecting evidence, law enforcement and criminal prosecution or the satisfaction of civil law claims.

3. The categories of data that we process as long as we do not receive data directly from you, and its origin

If necessary for the contractual relationship with you and your pronounced application, we may process data which we lawfully receive from other offices or other third parties. In addition, we process personal data that we have lawfully collected, received or acquired from publicly accessible sources (such as, for example, commercial registers and association registers, civil registers, the press, Internet and other media) if such is necessary and we are allowed to process this data in accordance with statutory provisions.

Relevant personal data categories may in particular be:

- Address and contact data (notification and comparable data such as, for example, e-mail address and telephone number)
- Information about you on the Internet or social medias
- Video data

4. Recipients or categories of recipients of your data

At our company, your data is received by those internal offices or organisational units that need such to fulfil our contractual and statutory obligations (such as, executives and line managers who are looking for a new employee or who are involved in the decision on filling a vacancy, accounting, the company doctor, occupational health and safety, if applicable employee representatives, etc.) or that require such data within the framework of processing and implementing our legitimate interests. Your data is disclosed/passed on to external offices and persons **solely**

- for purposes where we are obligated or entitled to give information, notification or forward data (e.g. employer's liability insurance association, health insurance schemes, fiscal authorities) in order to meet statutory requirements or where the forwarding of data is in the public interest (see number 2.4);
- to the extent that external service-provider companies commissioned by us process data as contract processors or parties that assume certain functions (e.g. credit institutes, external research centres, travel agencies/travel management, printers or companies that perform data disposal, courier services, postal service, logistics);
- as a result of our legitimate interest or the legitimate interest of the third party within the framework of the purposes cited under number 2.2 (e.g. to government authorities, credit agencies, attorneys, courts of law, appraisers, companies belonging to company groups and bodies and control instances)
- if you have given us consent to transmit data to third parties.

We shall moreover refrain from transmitting your data to third parties if we have not informed you of such separately. If we commission service providers within the framework of processing an order, your data will be subject there to the security standards stipulated by us in order to adequately protect your data. In all other cases, recipients may only use the data for purposes for which the data has been sent to them.

5. Length of time your data is stored

In principle, we process and store your data for the period of your application. This also includes the initiation of a contractual agreement (pre-contractual legal relationship).

Above and beyond this, we are subject to various retention and documentation obligations that emanate *inter alia* from the German Commercial Code (HGB) and the German Tax Code (AO). The periods and deadlines for retention and/or documentation stipulated therein are up to ten years beyond the end of the contractual relationship or the pre-contractual legal relationship. If you are not hired, your original application documents will be returned to you after six months. Electronic data will be deleted after six months accordingly. If we want to store your data longer for later vacancies or if you have entered your data in an applicant tool, the data will be deleted at a later date; Details will be provided in connection with the respective process.

If the data is no longer required to meet contractual or statutory obligations and rights, it is regularly deleted unless its further processing - for a limited period - is necessary to fulfil the purposes listed under number 2.2 due to an overriding legitimate interest on the part of our company. Such an overriding legitimate interest is deemed to be the case, for example, if it is not possible to delete the data as a result of the special type of storage or such is only possible at an unreasonably great expense. In these cases, we can also store your data and if applicable use it on a limited scale once the contractual relationship is over for a period of time that is compatible with the purposes. Generally speaking, deletion shall in such cases

be replaced by a limitation on the processing. In other words, the data shall be blocked against the otherwise usual use by appropriate measures.

6. Processing of your data in a third country or through an international organisation

Data is transmitted to offices in countries outside the European Economic Area EU/EEA (so-called third states) whenever such is necessary to meet a contractual obligation towards you (e.g. application for a job in another country), such is in the legitimate interest of us or a third party or you have issued us your consent to such.

At the same time, your data may be processed in a third country including in connection with the involvement of service providers within the framework of the processing of the order. If no decision has been issued by the EU Commission regarding the presence of a reasonable level of data protection for the respective country, we warrant that your rights and freedoms will be reasonably protected and guaranteed in accordance with EU data-protection requirements through contractual agreements to this effect. You can request information on the suitable or reasonable guarantees and the possibility, how and where to receive a copy of these from the company data-protection officer or the human resources department in charge of you.

7. Your data-protection rights

If certain conditions are met, you can assert your data-protection rights against us

- Everybody has the right to receive information on his data stored in accordance with the rules of Art. 15 of the GDPR, the right of correction with the rules of Art. 16 of the GDPR, the right of deletion with the rules of Art. 17 of the GDPR, the right of restriction with the rules of Art. 18 of the GDPR, the right of data portability with the rules of Art. 20 of the GDPR. According to the right of deletion and the right of information the restrictions laid down in §§ 34 and 35 of the German Federal Data-Protection Act (BDSG) come into force.
- You furthermore are entitled to file a complaint with a data-protection supervisory authority (Art. 77 of the GDPR together with § 19 BDSG)

Whenever possible, your applications for the exercise of your rights should be sent in writing to the address stated above or addressed directly to our data-protection officer.

8. Scope of your obligations to provide us your data

You only need to provide data that is necessary for processing your application or for a pre-contractual relationship with us or the collection of which we are required by law. Without this data, we are generally not able to continue the job application process or the selection procedure. If we request data from you above and beyond this, you shall be informed about the voluntary nature of the information separately.

9. Presence of an automated decision made in individual cases (including profiling)

We do not use any purely automated decision-making procedure as set out in Article 22 of the GDPR. If we do institute such a procedure in individual cases in the future, we shall inform you pursuant hereto separately if this is required by law.

Information on your right of objection under Art. 21 of the GDPR

1. You have the right to file an objection at any time against processing of your data which is performed on the basis of Art. 6, section 1 f of the GDPR (data-processing on the basis of a weighing out of interests) or Art. 6, section 1 e of the GDPR (data-processing in the public interest). The precondition for this, however, is that there are grounds for your objection emanating from your special personal situation. This also applies to profiling that is based on this purpose in the meaning of Art. 4, no. 4 of the GDPR.

If you file an objection, we shall no longer process your personal data unless we can demonstrate compelling reasons warranting protection for the processing that outweigh your interests, rights and freedoms, or the processing serves the purpose of asserting, exercising or defending legal claims.

You can, of course, withdraw your application at any time.

2. We will not use your personal data in order to perform direct advertising. Beside this we have to inform you that you have the right to file an objection to such at any time. This also applies to the profiling to the extent that it is connected with such direct advertising. We shall respect this objection with effect into the future.

The objection can be filed without adhering to any form requirements and should if possible be sent to

Kokusai Semiconductor Europe GmbH
Human Resources Department
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40699 Erkrath

Our data-protection information on our data-processing in accordance with Articles 13, 14 and 21 of the GDPR may change from time to time. We shall publish all changes on this site.