

European Union Recruitment Privacy Policy

This policy applies only to applicants and candidates who are residents of the Federal Republic of Germany. This policy explains:

- What information ASG GmbH & Co. KG (“ASG” “we” “us”) collect during the application and recruitment process and why we collect it;
- How we use that information;
- How to access and update that information; and
- Your rights as a Data Subject under the European General Data Protection Regulation (“GDPR”).

1. Identity of the Data Controller

ASG GmbH & Co. KG, Trade Registry no. HRA 72107, with its registered place of business at Lyonel-Feininger-Str. 28, 80807 Munich, Germany.

2. Data Protection Officer

We have appointed a Data Protection Officer to supervise and monitor our compliance with this Applicant and Candidate Privacy Policy. If you have any questions concerning this Privacy Policy or on how we handle your HR Data, please contact ASG’s Data Protection Officer at privacy@asg.com.

3. Definitions

“Data Subject” means a natural living person which can be identified, directly or indirectly, by reference to a name, or to one or more factors unique to his or her personal physical, psychological, mental, economic, cultural or social characteristics and in particular within the employment context of ASG. Section 4 provides more detail on the type of information ASG would collect from you.

“Candidate” means a Data Subject who, after submitting to ASG an application for an advertised open vacancy within ASG, is considered further and invited to join the interview stage of the job application process.

“Job Applicant” means a Data Subject who submits to ASG an application for an advertised open vacancy within ASG, either by filling out an online form or by supplying a relevant CV and, if any, a cover letter.

4. Types of information we collect

This policy covers the information you share with us and/or which may be acquired or produced by ASG during the application or recruitment process including, but not limited to:

- Your full name, home address, private email address and telephone number, other contact information, and, as may be required in your country of residence, your tax ID number, your social security number, health insurance or national insurance number;
- Your resume or CV, cover letter, previous and/or relevant work experience or other experience, education, certifications, licenses, transcripts, or other information you provide to us in support of an application and/or the application and recruitment process;
- A computer-graphic image or a printed photo of yourself in the rare event this was submitted as part of your job application via our online application facility or posted by mail with your other application documents;
- Information from interviews and phone-screenings you may have, if any;
- Details of the type of employment you are or may be looking for, current and/or desired salary and other terms relating to compensation and benefits packages, willingness to relocate, or other job preferences;
- Details of how you heard about the position you are applying for;
- Any sensitive and/or demographic information you provide us with during the application or recruitment process such as gender, age, information about your citizenship and/or nationality, racial or ethnic origin, medical or health information, marital status and/or emergency contact information;
- Reference information from previous employers, if applicable, and/or information received from background checks (where applicable), including information provided by third parties; and/or
- Information relating to any previous applications you may have made to ASG and/or any previous employment history with us.

5. How we use information we collect

We will use your information for the purposes of carrying out our application and recruitment process which includes:

- Assessing your skills, qualifications and interests against our career opportunities;
- Verifying your information and carrying out reference checks and/or conducting background checks (where applicable) if you are offered a job;
- Communications with you about the recruitment process and/or your application(s), including, in appropriate cases, informing you of other potential career opportunities at ASG;
- Creating and/or submitting reports as required under any laws and/or regulations, where applicable;

- Where requested by you (and agreed to by us), assisting you with obtaining an immigration visa or work permit where required, which may include collecting additional information such as your passport, I-94 card, visa, address, phone number, email address, resume, copies of any family member's passports, I-94 cards, and visas (if applicable) and all prior immigration approvals for visas;
- Making improvements to our application and/or recruitment process including improving diversity in recruitment practices; and/or
- Complying with applicable laws, regulations, legal processes or enforceable governmental requests.

We will also use your information to protect the rights and property of ASG, our customers, applicants, candidates, employees or the public as required or permitted by law.

If you are offered and accept employment with us, we also collect your bank information including bank name, address, account number, international bank account number, date of birth, and other information as reasonably necessary for payroll purposes. All information collected during the application and recruitment process will become part of your employment record.

6. Legal basis for processing your information

The legal basis for the use of your information with the purposes specified above is your express consent and authorization by submitting your job application or providing us voluntarily with your CV.

7. Who may have access to your information

- Apart from the local ASG HR department which received your application, your information may be shared with the EVP Global HR for verification and, upon successful application, signature of your contract. We will also disclose your information with the interviewer. This may be the local HR manager or the respective manager of the job position you are applying for. We do this in order to prepare for the interview, to assess your skills and qualifications in relation to the job you applied for and to compare your interests against any of our other available career opportunities. Therefore, your information would be shared with other colleagues on 'a need to know' basis in our parent company and subsidiaries or branches located in the European Union, subsidiaries in the U.S. and in other jurisdictions. Such colleagues would be managers or department heads who have to know in order to make a qualified decision. If you have been referred for a job with us by a current ASG employee, with your consent, we may inform that employee about the progress of your application and let ASG employee know the outcome of the process. In some cases, if it is identified that you have attended the same university/school or shared the same previous employer during the same period as a current ASG employee, we may consult with that employee for feedback on you.
- We may also use service providers acting on our behalf to and under our instructions perform some of the services described above including, but not limited to, agents, consultants and contractors. For instance, we may grant such individuals access to your information for the purposes of the verification / background checks. These service providers may be located outside the country in which you live or the country where the position you have applied for is located. Such service

providers are thoroughly selected according to their reputation, their track record with regard to privacy and data protection and the adequacy of implemented safety measures for protecting Personal Data. They also must warrant compliance with all applicable data protection laws and regulations, including the E.U. General Data Protection Regulation (E.U. Regulation 2016/679). Additionally, they must agree to provide adequate protections for such information that are no less protective than those set out herein, for example by means of a data processing agreement.

- We may sometimes be required to disclose your information to external third parties such as to local labor authorities, courts and tribunals, regulatory bodies and/or law enforcement agencies for the purpose of complying with applicable laws, regulations, national security or law enforcement requirements or in response to legal process.
- We will also share your personal information with third parties if we have your consent, or to detect, prevent or otherwise address fraud, security or technical issues, or to protect against harm to the rights, property or safety of ASG, our customers, applicants, candidates, employees or the public or as otherwise required by law.
- It is your responsibility to obtain consent from references before providing their personal information to us.
- We are a global company, which means your information may be stored and processed outside of the country or region where it was originally collected including in the United States. ASG has executed Standard Contractual Clauses (Processors) by European Commission Decision of 5 February 2010 (C(2010) 593) with each subsidiary and branch as an appropriate safeguard for personal information transferred from the European Union member countries to the United States and published these on its website (the “Standard Contractual Clauses”). ASG has undertaken this step to ensure that you have a direct means of recourse for a personal data security breach affecting you against the ASG subsidiary or branch in the country which received your application. The Standard Contractual Clauses shall remain in place until i) ASG has registered in accordance with the EU – U.S. Privacy Shield Framework and satisfied the participation requirements for HR Data or ii) a new set of Standard Contractual Clauses, adopted by the Commission, has been approved or iii) another appropriate safeguard is employed by ASG. ASG GmbH & Co. KG, with which your employment relationship exists, remains responsible and liable for any of your personal information that is shared with third parties for external processing on our behalf, as described above. If you have an inquiry regarding our privacy practices, we encourage you to contact us at privacy@asg.com. If your complaint cannot be satisfied through this process, it will be subject to the dispute resolution mechanisms provided by Regulation (EU) 2016/679 of the European Parliament and of the Council of the European Union and subject to the applicable member nation’s EU Data Protection Authority (DPA. A list of contact information for each of the DPAs is available at https://edpb.europa.eu/about-edpb/board/members_en.

We take appropriate steps to protect information about you that is collected, processed, and stored as part of the application and recruitment process.

8. Retaining, sharing and updating your information

We may retain your information to consider you for other jobs at ASG which you may be interested in in the future, protecting and defending our rights in any subsequent investigations or allegations of fraud by you or a third-party, complying with any applicable laws, regulations, legal processes or governmental requests and committing to cooperate in investigations by, and to comply with the advice of, competent European Union and/or E.U. member states' authorities.

Please note, however, that your CV will not be kept beyond a period of six (6) months from the date of receipt of your application. We will keep your personal contact information indefinitely. If you do not want us to retain your CV or your personal contact information, or want us to update your CV during that 6-month period, please contact the HR employee handling your job application. If applicable, we will comply with the local regulations of your home country in the European Union and ensure that each such applicant or candidate has access to his or her information as is required by such employee's home country's laws, regardless of the location of data processing and storage. Please note, however, that some information may be retained if required by law.

9. Your Rights under GDPR

The GDPR grants you as Data Subjects certain rights. In each case you wish to exercise any of these rights, we ask that you submit such a request in writing to allow us to track the response to your request. We will try and respond to your request within one (1) month of the date we receive your written request. Should we not be able to meet this deadline, we will get in touch with you within that time.

For any request relating to your rights under GDPR, we will ask you for reasonable identity information to help us confirm your identity in order to provide you with the personal data that we hold about you or to make your requested changes. Applicable law may allow or require us to refuse to provide you with access to some or all of the personal data that we hold about you, or we may have destroyed, erased, or made your personal data anonymous in accordance with our record retention obligations and practices. If we cannot provide you with access to your personal data, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

a) The Rights of Access and Rectification

It is important that the personal data we hold about you is accurate and current. You have the right to access your personal data, to have it corrected or kept up-to-date and also to find out which information of yours is being processed by us or our service providers. Please keep us informed if your personal data changes.

b) The Right to Erasure

You have the right to request the erasure of your information at any time and when it is no longer necessary for the purpose for which it was collected.

c) The Right to Restriction of Processing

Under certain circumstances you may request us to restrict the processing of your information in which case they will only be retained for the exercise or defense of claims, if any. To restrict the processing, please contact the HR employee responsible for your application.

d) The Right to Object

Where you have provided your express consent to the collection, processing, or transfer of certain personal data, you may have the legal right to withdraw your consent under certain circumstances and for reasons related to your particular situation. This might be the case for any company-sponsored events, outings or activities we may invite you to participate in from time to time or benefits, if any, as part of your employment and position. To withdraw your consent, please contact the HR employee responsible for your application. We will then stop processing such personal data, except for legitimate reasons, or the exercise or defense of possible claims.

e) The Right to Data Portability

You may also have the right to request that we transfer your application information or CV to another party upon your specific written instruction and where technically possible. In such case we will make available the respective personal data which you provided to us, in a structured format, for common use and mechanical reading when: a) the processing is based on express consent or a contract and b) such third party's processing is carried out by automated means.

f) Complaints

In accordance with sections 2 and 7 above, you have the right to file a complaint with the Data Protection Officer, the local or national data protection authority in case we have not done everything reasonable to assist you with the exercise of the rights under this section 9.

10. Changes to this Policy

We may change this policy from time to time. We will post any changes to this policy on this page. Each version of this policy is identified by its effective date below.

Effective Date - January 1, 2019