

with relation to
Use of the website <https://earnesto.de> earnesto GmbH recruiting process Parties interested in services provided by earnesto GmbH

1. Controller

The controller for the processing of data on this website and as part of application processes in accordance with Article 4(7) GDPR is:

earnesto GmbH
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2. Object of the data protection

The object of the data protection is personal data. According to Article 4(1) GDPR, personal data is any information that relates to an identified or identifiable person. This includes details such as name, postal address, email address and telephone number, but can also mean user data, e.g. IP address or content data such as comments.

3. Scope and purpose of data collection and storage

In the following we will explain the scope of data collection and storage as well as usage (hereinafter 'Data Processing', in accordance with Article 4(2) GDPR). We will also explain the purposes of this data processing in the context of the website as well as the earnesto GmbH recruiting process, and in relation to our handling of the data of interested parties.

4. Processing of personal data for use of the website

It is possible in principle to use this website without providing personal data. The exception to this is the IP address. It is essential that we hold this a short period (for more on this please read paragraph 4.1).

4.1. IP addresses

Put very simply, without internet protocol addresses (IP addresses for short), the Internet would not function. An IP address places an address in the computer network, so that web servers and or individual terminal devices can be contacted and communicated with. Without an IP address, the web server and terminal device cannot communicate, meaning nothing can be displayed. So, on the basis that you wish to visit the website, a data request is pinged by you to the web server hosting the website. In order to deliver the data, the web server must know the IP address. Consequentially, the web server must process your IP address at this point of the data request. To do this, the web server receives information on what website/file was called up, and the browser and operating system used. Normally, this data is stored complete in the web server log files for a long term period. However, earnesto GmbH does not store the complete IP addresses of users beyond the time period described here for the necessary processing. Instead, it anonymises the IP address, always replacing the user's IP address automatically with the blanket value 127.0.0.1.

In case you are asking yourself why we are explaining all this: The IP address is legally defined as personal data through the General Data Protection Regulation (GDPR). And as an IP address qualifies as personal data, that means we must explain how we process this over a short time period so that you

can use the website.

The legal basis for this Data Processing is Article 6(1)(b) GDPR, since we need the IP Address for technical reasons, in order to transmit to you the website and its content.

4.2. Use of Universal Analytics (Google Analytics)

Our website integrates the tracking service Universal Analytics (formerly: Google Analytics). We will explain the integration and function of this service in the following.

Universal Analytics is a web analytics service by Google LLC, 1600 Amphitheatre Parkway Mountain View, CA 94043, USA (hereinafter: Google). Universal Analytics is a web analytics tool which helps to analyse how visitors interact with the online platform, enabling further improvement of the online platform. Google LLC uses a cookie for this (these are text files stored on your computer that enable an analysis of how visitors use the site). This cookie processes the following data:

- Browser type
- operating system used
- IP address (truncated)
- time of server request

The information generated by the cookies regarding your use of this website will usually be transferred to a Google server in the USA and stored there. However, we have activated IP anonymisation on our online platform. This means that the IP address is truncated within member states of the European Union or in other signatories to the Agreement on the European Economic Area before sending it to the USA. Only in exceptional cases will the full IP address be transferred to a Google server in the USA and truncated there. Google will use this information on our behalf to analyse use of the website, to compile reports on website activity and to provide us with other services relating to the website and Internet use with respect to the website operator. The IP address transmitted by your browser relating to Universal Analytics' services will not be linked to any other data held by Google.

The data is processed on the basis of Article 6(1)(f) GDPR. earnesto GmbH has a legitimate interest in understanding the basic behaviour of its website users so that it can optimise website offers according to user behaviour, thus strengthening its own business activity. No legitimate conflicting interest on the part of the user is foreseen that would outweigh the interest of earnesto GmbH in processing through the UA cookie the browser type, the operating system used, IP address (truncated) and time of server request. earnesto GmbH cannot establish a relationship between the data and a concrete person.

Under a data processing contract, Google LLC is bound by us to follow data protection law.

You can **prevent the storage of cookies** by Google Analytics (as well as other cookies) by changing your basic browser software settings (found under 'settings' in most browsers); we would like to stress though that this may result in a loss of full website functionality.

You can also prevent the data generated by the cookie and related to your usage of this website (including your IP address) from being **transmitted** to and **processed by Google** by downloading and installing the browser plug-in available through the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>

If the site is being accessed via a **tablet** or a **mobile phone** and you wish to prevent the future recording of visits by Universal Analytics, please click this link . By clicking the link, an opt-out cookie is set in the mobile browser. If this cookie is deleted, the link must be re-clicked.

4.3. Google web fonts

We use web fonts from Google LLC. However, we host these ourselves and have blocked requests from/to the Google server. As a result, we do not process any personal data when using Google Fonts.

4.4. Google Maps

So that you can find us more easily, we have integrated map material from Google Maps into our website via an API. So that you can see this content, Google must receive your IP address, otherwise Google would not be able to supply you with this integrated content (for more on this see paragraph 4.1. IP address).

In terms of Data Processing by Google, the Google data protection guidelines apply: <https://www.google.de/intl/de/policies/privacy/>.

4.5. Getting in contact via our contact form or email

If you would like to get in contact with us via our contact form, you must send us at least the following personal data:

- your name and
- your email address.

It's also sensible to provide us with

- the subject of your query
- and a message,

so that we know what your query is and in what concrete ways we can assist you further.

We use this data exclusively so that we can process your query and afterwards get back in contact with you about it.

The legal basis for this Data Processing is usually Article 6(1)(b) GDPR, since we cannot get back to you and address your query if you do not provide any personal contact data.

The same applies when we receive an email from you asking to establish contact.

4.6. Processing data belonging to interested parties

If you send a message expressing interest in our services, we will process your data as an interested party. This means that we will not immediately delete the contact details and message submitted (i.e. your emails and the contact data they contain). The data is processed on the basis of Article 6(1)(f) GDPR. We have a legitimate interest in maintaining and building contact with interested parties. This is only possible if we store the data. In this scenario, no conflicting interest from your side is foreseen, since you have yourself provided the data when expressing interest.

If you have expressed interest in our services, we may provide you with information via our download portal: downloads.earnesto.de. So that we can match up who has downloaded each document, we will request that you enter your

- name

. You can however also use a pseudonym.

In addition, a cookie will be set once you have registered. This is essential so that we can identify you are the same person currently using the portal. As the name 'session cookie' would imply, this is deleted as soon as you close your browser.

4.7. Other cookies

Beside the Google Analytics tracking cookie and the session cookie in the download portal, earnesto GmbH does not use any other cookies.

5. Data processing in the recruitment process

5.1. Candidate data

As part of recruitment, earnesto GmbH engages in active recruiting (sourcing). This entails actively searching via social networks, fora and other generally accessible spaces for new potential employees.

In the context of this active recruitment process, earnesto GmbH processes data that has clearly been made publicly available by data subjects, such as

- name
- data on professional qualifications
- email addresses
- account names/links to social media profiles (profile URLs, twitter names etc.)
- telephone numbers

earnesto GmbH processes this candidate data on the basis of Article 6(1) f) in conjunction with Article 9(2)(e) GDPR. For the purposes of recruitment, earnesto GmbH has a legitimate interest in processing the data of potential employees who have clearly made this information publicly available. There is no foreseen conflicting interest on the part of candidates to earnesto GmbH collecting this data for these purposes, since the only data processed has been made publicly available by the data subjects on social media. In addition, this data is then only stored beyond the period specified if consent for this has been obtained from the data subject.

In cases where despite the candidate's data being processed as part of active recruitment and added to the first talent pool they are ultimately not contacted regarding the vacancy in question and their data is deleted after six months in accordance with paragraph 7, the candidate will be informed about the Data Processing that has taken place in accordance with Article 14(5)(b) GDPR, with due regard to any disproportionate effort required (also in accordance with Article 14(5)(b) GDPR).

5.2. Applicant data

If when applying for a position, sending us a speculative application or following an active approach you consent to further processing of your data and also send us additional relevant application documents, then we will routinely process the following data on the basis of Section § 26 BDSG-Neu [German Federal Data Protection Act] to enable potential establishment of an employment relationship:

- Contact details,
- CV data, including
 - o proof of professional qualifications,
 - o certificates,

- o references,
- potentially documents from the application process (such as transcripts, evaluations from application interviews).

earnesto GmbH processes applicant data in accordance with Article 88 GDPR and in conjunction with Section 26 BDSG-Neu.

6. Purpose-limited data use, data recipients, sharing data

We observe the principle of purpose-limited data use. All aforementioned data is only processed for the purposes specified.

In the context of website use, recipients of data - in addition to the controller (us) - are

- the hosting provider Hetzner Online GmbH
- the tracking service Google Analytics, Google LLC

They are however bound to us via a processing contract in accordance with Article 28 GDPR. Google LLC is [Privacy Shield](#) certified with regard to its Google Analytics services.

Besides us, recipients of data as part of the application process are

- Crossmedia GmbH (undertakes some HR administration for earnesto GmbH)
- HANSALOG Services GmbH (provides applicant management software)

Crossmedia GmbH and earnesto GmbH are part of a Group, in line with Article 4(19) GDPR. HANSALOG is bound to Crossmedia GmbH via a processing contract in accordance with Article 28 GDPR.

Other than as described here, personal data will not be shared with third parties without express consent.

The transmission to state institutions and authorities who are authorised to receive such information shall only take place as part of the statutory disclosure obligations or if we are obligated to disclose by a judicial decision.

7. Duration of processing, erasure of data

7.1. Erasure deadlines in the context of website use

The IP address will only be stored temporarily in the web server log files for connection purposes and subsequently immediately anonymised.

The data that we collect as part of the Universal Analytics user profile will automatically be erased after 14 months.

7.2. Erasure deadlines for contact via email or form

Data that you send us via email or the contact form will be erased as soon as your query has been resolved, unless you are expressing interest for our services. If this is the case, the erasure deadlines are set out in accordance with paragraph 7.3.

7.3. Erasure deadlines for data from interested parties

Data from interested parties will be deleted two years after the last point of contact.

A point of contact means for example downloading a white paper, interacting with an employee via social media, email, telephone, at a trade fair, or participating in a webinar. This long storage period is justified by the sometimes long planning and budget cycles in the marketing division.

Erasure after two years will not however take place if a longer retention period is required under commercial law, in accordance with Section 257 HGB [German Commercial Code]. In this instance, data use will be restricted to the purposes required to fulfil the retention obligation, in accordance with Article 18 GDPR, and the data will be erased after the aforementioned period of six years.

If the erasure of specific data and records would involve disproportionate effort in extracting and separating communications according to their different erasure deadlines, the data will be restricted in its entirety after the query has been resolved and then erased 6 years after resolution.

The period shall begin at the end of the calendar year in which the data concerned was collected.

7.4. Erasure deadlines in the context of the recruitment process

7.4.1. Erasure deadlines for candidate data from active recruitment processes

Candidate data from sourcing is erased six months after commencement of the sourcing process, if no approach is made or consent from the data subject for further processing obtained.

7.4.2. Erasure deadlines for applicant data

Applicant data will be erased eight months after the position is taken up by the chosen applicant. The reason for this is that the probation period typically lasts six months. Should the applicant employed decide to leave earnesto GmbH in this time period or earnesto GmbH terminate the employment relationship within the probation period, it should be possible to go back to the other applicants.

If retaining application documents for longer periods, consent will be obtained on an individual basis.

8. Data subject rights (including the right to information, to revoke, to object and to erasure)

Irrespective of the information already outlined, you have the following rights:

The right to demand information about the information concerning you that we are processing.

You can object to the processing of your data at any time, insofar as the conditions in Article 21 GDPR apply, and you can also revoke your consent for the processing of data at any time. If consent for the processing/use of data is revoked, this does not affect the lawfulness of Data Processing up to the point of the revocation/objection.

Furthermore, you can request the correction, restriction or erasure of data processed by us at any time. We would like to emphasise here that there may be legal obligations - such as retention obligations - that require us to keep storing the data. In this event, the data can only be restricted. This means that data can be used exclusively in order to satisfy legal obligations and for no further purposes.

In addition, the right to data portability in accordance with Article 20 GDPR and the right to lodge a complaint with a supervisory authority in line with Article 77 GDPR also apply.

Please direct questions at any time to us directly at datenschutz@earnesto.de or to our data protection officer.

9. Data Protection Officer

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