

# Transparency and information requirements for applicants of the Bay City Textilhandels GmbH

According to the EU General Data Protection Regulation (GDPR)

With this document we inform you about the processing of your personal data by the Bay City Textilhandels GmbH and the rights granted to you under the data protection law.

## **Responsible body / contact data protection**

### **Address:**

Bay City Textilhandels GmbH  
An'n Slagboom 7  
22848 Norderstedt, Germany

### **Contact information:**

Phone: +49 (40) 53413 300  
Fax: +49 (40) 53413 301  
Email: [baycity@fashioncenter.net](mailto:baycity@fashioncenter.net)  
Internet: [www.bay-city.de](http://www.bay-city.de)

### **Data protection contact:**

[datenschutz@fashioncenter.net](mailto:datenschutz@fashioncenter.net)

## **Categories / Origin of the data**

As part of the application process, we process the following personal data:

- Your master data (name, first name, name additions, date of birth, place of birth, gender, family status, religion, etc.)
- Photo(s) included in your job application
- Contact data (address, telephone number, e-mail address)
- Qualification data (CV, cover letter, degrees, job references)
- If applicable, work permit / residence permit
- If necessary, criminal record / certificate of good conduct
- If applicable driving license(s)

Your personal data will generally be collected directly from you during the application process.

In certain circumstances your personal data may be collected from other sources, for example from recruitment agencies as far as your application has been done via recruitment agency we are cooperating with.

In exceptional cases, we also use personal data which we have legally gained from publicly available sources (e.g. professional networks).

### **Purposes and legal bases of data processing**

When processing your personal data, the regulations of the EU GDPR, the BDSG (new) and all other (labor-) laws are always complied with.

We are aware of the importance of the privacy of your data. Your personal data will be processed exclusively for the purpose of the effective and correct processing of the application process and for contacting you in the context of the application.

We also process your data if we have a legal obligation to do so, in particular from the labour law. For special categories of personal data in accordance with article 9 the EU GDPR also provides for a balance of interests, i.e. data processing is only carried out if its protection-worthy interests do not outweigh (article 88 EU GDPR in conjunction with § 26 para. 1, 3 BDSG (new)).

Your consent is also a permission for the data processing. If you have given us your consent (e.g. for longer storage of the application documents in our applicant pool or for the transfer of the application documents to other business units), we process your data also for this purpose (article 88 EU GDPR in conjunction with § 26 para 2 BDSG (new)). If we obtain consent from you, we will of course clarify the specific purpose of data processing and your right of withdrawal. Should the consent also refer to the processing of special categories of personal data according to article 9 of the EU GDPR, we will explicitly inform you in advance.

We are processing and saving written and electronic communication done between you and us in the context of your application. Furthermore we are processing comments and evaluations your person concerned in conjunction to your application process (weighing of interest according article 6 para 1 EU GDPR)

### **Storage duration of the data**

We save your application data until the application process is completed or we no longer need your data for the above purposes or you have revoked your consent. Should we enter into an employment relationship with you, the relevant applicant data will be stored with us if they are still relevant for the employment relationship.

If we unfortunately have to reject your application, we will delete your application documents at the latest 6 months later.

If you have given us your consent, to store your data for a longer period of time, in order to participate in our pool of applicants, we store your data for the duration of your given consent. We delete your data after a maximum of 12 months or if you revoke your consent.

### **Recipient of the data / categories of recipients**

In our company we ensure that only the departments and persons are given access to your application data, which need it to carry out the application process or fulfil the legal obligations. With your consent, your applicant data will also be transmitted to other affiliated business units solely for the purpose of potential initiation of employment.

If the applicant data are to be forwarded to other bodies (eg personnel service providers), the necessary data protection agreements have been concluded.

Transmission in legal cases to certain public authorities is possible, e.g. Tax authorities in certain circumstances also law enforcement agencies.

### **Rights of data subjects**

The rights for you as the data subject are standardized in Articles 15 - 22 of the EU GDPR. This includes:

- The right of Access (Article 15 EU GDPR)
- The right to rectification (Article 16 EU GDPR)
- The right to erasure (Article 17 EU GDPR)
- The right to restriction of processing (Article 18 EU GDPR)
- The right to object to the processing (Article 21 EU GDPR)
- The right to data portability (Article 20 EU GDPR)

To exercise these rights, please contact [datenschutz@fashioncenter.net](mailto:datenschutz@fashioncenter.net) or by mail to above mentioned responsible body. The same applies if you have questions about data processing in our company or want to revoke a given consent. You can also file a complaint against data processing with a data protection supervisory authority.

If we process your data as a necessity to pursue or legitimate interests, you can object to this processing at any time for reasons that arise from your particular situation; this also applies to profiling based on these provisions. We will then no longer process your personal information unless we can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing is intended to assert, exercise or defend legal claims.

If we process your personal data for the purpose of direct marketing, you have the right to object without giving reasons; this also applies to profiling as far as it is related to such direct advertising. If you object to the processing for direct marketing purposes, we will no longer process your personal data for these purposes.

### **Third country transmission / Third country transmission intention**

Data transfer to third countries (outside the European Union or the European Economic Area) only takes place if you have given us your consent or if this is required by law.

### **Obligation to provide the data**

The decision as to whether or not to establish an employment relationship with you can only be made if you provide us with certain personal data, for example your CV, job references, etc.. Of course, we respect the principle of data minimization and data avoidance by providing us with only the information we need to fully review your application or which we are required to collect by law.

Without this data, we are unable to check your application documents. Of course, you have the possibility to voluntarily provide us with further information in your application documents.

### **Automated individual decision-making**

We do not use automated processing to make a decision.