

Personal Data Processing Applicant Notice for the USA

V 1.0e USA

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Introduction

This Personal Data Processing Applicant Notice ("**Applicant Notice**") is for the information of applicants in regard to processing in the frame of the application process.

This Applicant Notice sets out how Exyte Group and its affiliates (collectively, "**Exyte**", "**we**", "**us**", "**our**") collect, use, store, disclose, or otherwise process personal data (meaning information related to you that can be used to reasonably identify you) about individuals who apply for open positions at Exyte or otherwise send personal data to a member company of the Exyte Group as an applicant for a position at the Exyte Group, make an account on our career site without application (e.g. for getting information about suitable jobs) or register for our talent pool. If you do not know who we are yet, you will find some useful information on our website www.exyte.net.

This Applicant Notice does not cover our handling of your personal data in your role as a user of Exyte's products and services. We may process personal data on other occasions, such as your general use of our websites or when conducting business with you. In these cases, we will provide you with separate data protection information. This Applicant Notice also does not cover your interactions with any third-party websites and/or apps that you may use, including those to which we link in our websites. Such third-party offerings are covered by the relevant third party's policies and terms. You should review the terms and policies for third-party websites and apps before interacting with them.

With this Applicant Notice we would like to inform you about how we process personal data ("**Personal Data**") which you transferred to Exyte, which rights you have as data subject, and provide you with other helpful material about data processing.

Please note that this Applicant Notice does not constitute a contract or an offer for a contract but is for your information only. We may update it from time to time. We will post any changes to this Applicant notice [here](#) and update the date above.

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1. Applicability of this Applicant Notice and Controller

Firstly, you will want to know who you are actually sending your personal data to and who is processing your personal data as “**controller**” – the entity determining the purpose and means about processing your personal data.

As you may already have seen on our website, Exyte is a company group with many members. You can find a list of all our locations and group members under this [link](#).

This Applicant Notice is for your application process at the Exyte entities in the USA as controllers, namely Exyte Americas Holding, Inc., Exyte U.S., Inc., Exentec U.S. Inc., and Total Facility Solutions Inc..

If you are applying at another country, we have different data protection information (either globally or specifically for this country) which you can find under this [link](#).

The company operating this website – Exyte Management GmbH in Germany – is only forwarding your information to the US entities mentioned above.

2. Data Protection Officer

We have appointed a Data Protection Officer (“**DPO**”). You can reach the DPO under the following email address: privacy@exyte.net.

Please feel free to contact the DPO in case of any questions, complaints, inquiries or suggestions regarding processing Personal Data at any Exyte entity.

3. Personal Data we process and sources of Personal Data

Please note that in general you are not obligated to provide any Personal Data to us. However, if you do not provide Personal Data to us, we may not be able to process or consider your application or we may miss important information, which could be to your disadvantage.

In general, we collect personal data directly from you. In this regard, we process all Personal Data you provide to us per communication, in the forms you fill out or documents you upload, such as your CV, motivation letter, certificates and diplomas, photos and others.

Furthermore, we collect personal data when you interact with our systems, the chatbot or the career website. These personal data are connected to your account or your application. You will find information on which data we collect about you on our career website and while interacting with the website and the chatbot [here](#).

Also, we will analyze your application data to assess how you match the desired position. This may include making your application machine readable and having a large language model reading your application. Your personal data that you submit to us as a job applicant are not used to train a large language model. If we use data for training, the data are anonymized.

In addition, we may collect and process information about you which you made public on the internet or on social networks (such as LinkedIn) or when you attend a conference or event that we are running or in which we are participating. We may also collect information about you from other sources, where applicable, such as our affiliates and vendors, employment agencies or consultancies, recruitment or professional networking websites or companies, background check providers, social media and public records, data providers, regulatory agencies, or your professional references.

Please note that we may also collect other personal data about you, depending on the way you interact with us, e.g. via a linked-in application. For these purposes we provide specific data protection declarations or additional information.

As part of our employment process, we also ensure that you are not listed on a sanctioned person list. We receive such lists from the institutions which issue the sanctions and will confirm that you are not listed.

For the purpose of the application, we usually process the following Personal Data about you, however, if you provide additional data, we may also process such additional Personal Data:

- Name, work and contact details as well as address;
- Date of birth and place of birth;
- National Identifier (e.g. ID Card No; Passport No etc.);
- Nationality, citizenship, resident status, work permit;
- Whether you attended military or civil service;
- Your previous employers;
- Your reporting and management relationships, as provided by you;
- Training, education, academic background and certificates;
- Languages you speak;

- Other information on your CV;
- Details about how you intend to work at Exyte (e.g. full time, part time, home office);
- Your career plans;
- Your training and education plans;
- Your past and expected remuneration;
- Your past and expected job position
- Your address and current location (City or city quarter level via IP)
- Phone number
- WhatsApp account
- Your desired work location
- A profile of you, on how you fit with your desired position and based on your consent, with other positions
- Other jobs, which attracted your attention at the Exyte Group
- Video Recordings you sent to us
- Video recordings we made of the interview, whereas we will inform you in advance and request your consent if required by law.
- Videos you sent to us as application
- Status of your application
- Status in relation to other applications
- Content of your interview / Transcription
- Time it took you to confirm the interview
- Canceled interviews
- Time track through the application process
- Expenses (e.g. travel expenses for your travel to an interview);
- Assessment test results (e.g. in case you attended an assessment center or conducted a test, OPQ);
- Photos (including meta data contained in the photo);
- Bank data;
- Gender (m/w/d) and how you wish us to address you;
- Marital status;
- Appointments and free time
- Profile assembled from data matched to the job description
- Details you provided to us in relation to our codes of conduct (possible conflict of interests, accounts, trade body relationships),
- Whether you are listed on a sanctioned list
- In rare cases: Responses to personality tests. However, we will inform you separately in such cases; and
- In rare cases, if you apply to sensitive areas, we may process your criminal record or financial status. We may discuss this matter with you, if required, before we obtain such information.

Usually, we process the following special categories personal data (also known as sensitive personal information under California law and sensitive data under others) for the application process:

- Health information (e.g. disabilities);

- Other categories of data you may provide to us in relation to our code of conduct.

Please note that we might not collect all the information above for each application or may require additional information during the application process for specific countries or special positions. We will ask for such information and inform you accordingly.

We also may combine the personal data we receive from various sources with personal data we collect from you and use it as described in this Applicant Notice.

If your application is successful, we will process several of the Personal Data you provided during the application process for implementing our labor relationship. We will provide you with separate data protection information as well.

Under the California Consumer Privacy Act (“**CCPA**”), the types of personal information we collect about job applicants are categorized as identifiers; characteristics of protected classifications under California or federal law (such as if you voluntarily include your race/ethnicity in a cover letter or resume); internet or other electronic network activity (such as information about how you interact with our application systems); audio, electronic, visual, or similar information (such as recordings of meetings or interviews); professional or employment-related information; education information; and sensitive personal information (such as when you provide information related to your health condition that requires an accommodation).

4. Purpose of processing Personal Data

We process personal data as listed in No 3 of this Applicant Notice for the following purposes:

- a. Processing the application for employment including considering other suitable positions for you within the Exyte Group;
- b. Creating a candidate profile for you and assessing and evaluating the profile for deciding whether you are suitable for this job;
- c. Determining whether you are a matching candidate for the position at Exyte respectively which applicant to choose or with your consent with other positions;
- d. Creating and maintaining employment records;
- e. To improve our services and performance related to job applicants, including the efficiency of the process;
- f. Analysis of the effectiveness and improvement of campaigns, website design, user experience and job description;
- g. Which jobs you are interested in, how long which state took and time tracking during the processing are processed in order to create aggregated statistics about our application process.
- h. To organize our application process efficiently;

- i. To ensure that you are not listed as a sanctioned person;
- j. To inform you about other suitable positions for you at the Exyte group;
- k. To contact you to obtain your consent for keeping you in our talent pool for future possible positions for you;
- l. Compliance with legal obligations, such as health and safety, anti-discrimination, and immigration requirements.
- m. To investigate or assess breaches of laws or our code of conduct, otherwise protect the rights, safety, and property of us, our employees, and others, and exercise our legal rights, including seeking legal advice from our external lawyers or in connection with litigation;
- n. To process your application, evaluation, assessment and initiate or implement an employment relationship;
- o. Other processing activities as indicated in our communication with you or on forms you fill out;
- p. Based on your consent we will use your contact data to advertise suitable positions in the Exyte Group for you.

If your application was successful, we will process several of the Personal Data you provided during the application process for implementing our labor relationship. We will provide you with separate data protection information for the labor relationship.

We may aggregate or de-identify personal information such that it no longer reasonably identifies you. We may use and disclose such information for any purpose and in any way in our discretion.

5. Legal basis

We are processing your Personal Data based on the relevant provisions of any applicable data protection laws.

Please note, the special categories of Personal Data mentioned above in Section 3 may be considered “sensitive personal information” (or similar terms) under applicable law. Under the CCPA, California residents can request a right to limit certain uses of their “sensitive personal information” (as defined in the CCPA). We do not use such information in those ways. We use such information only for background check, eligibility confirmation, and equal employment opportunity purposes. Some “sensitive” information may be required for certain job applications

6. Consent

In case we are processing your personal data based on your consent, you may revoke your consent at any time, in which case we will stop processing your Personal Data. Processing of Personal Data until your revocation of consent remains legal.

The easiest way to revoke your consent is by specifying in an email, which consent you wish to revoke and send it to TalentAcquisition@exyte.net and identify yourself accordingly.

7. Transfer and disclosure of Personal Data

We may transfer Personal Data between Exyte affiliates within the Exyte Group.

Generally the Exyte Group entity you apply at will process to Personal Data, however other Group member companies may access your personal data in the frame of the Group organization, especially the Exyte Management GmbH, if required to process your Personal Data for the purposes as listed above, but also other Group entities in order to provide technical, professional and practical support.

Exyte Management GmbH provides most of the technical and personnel support as a processor or service provider.

We may also ask you for your permission to transfer and store personal data in the talent pool at Exyte Management GmbH. However, we will inform you about processing and your consent separately if required by law.

We may further transfer your Personal Data to other entities of the Exyte Group in order to consider you for other positions, which your profile might fit for. In addition, we may transfer your Personal Data within the Group based on your consent – e.g. in our talent pool. To the extent legally permitted we may disclose your personal data to other group members for support, whereas it is our legitimate interest to organize our company group efficiently and to find the most suitable candidate for positions within the Exyte Group.

Other Exyte Group Entities or unaffiliated vendors and service providers may process your Personal Data as our processors based on our instructions.

All group members are subject to a Data Protection Policy to ensure a constant level of data protection.

All Exyte Group members signed a Data Processing and Joint Controller Agreement (“**DPJCA**”) which includes standard contractual clauses to safeguard the processing of Personal Data throughout the group, i.e., all Exyte Group members are contractually obligated to comply with an adequate data protection level. Also unaffiliated vendors and processors/service providers are subject to such standard contractual clauses if there are no other safeguards.

Please find a list of all Exyte entities belonging to the Exyte Group under this [link](#).

Besides the transfer within the Exyte Group and to our vendors and processors/service providers a transfer of Personal Data takes place in the following cases:

- Transfer with your permission;
- Transfers to entities to which we are legally obliged, for example to the tax office or other governmental authorities;

- Transfers to entities to fulfill our commercial and tax obligations, for example to our tax auditor, even if the transfer is not mandatory but required for our legitimate interest to efficiently communicate and proceed with authorities and comply with our obligations;
- In order to assert legal claims, conduct investigation about legal claims or to defend against legal claims we may transfer data to authorities or to lawyers, agents, experts, authorities etc..

Please note that a transfer for the above purposes may also be based on another legal basis, where applicable.

Please note that as you are applying for a position at an Exyte Group Member outside the EEA, the Exyte Management GmbH will transfer your application to such entity.

If you need any further information about transfers or safeguards, you can contact us any time.

Please note, under the CCPA, California residents have certain rights to opt out of most disclosures of personal information that qualify as a “sale” or “sharing” of personal information as those terms are narrowly defined in the CCPA. Although we make various disclosures of personal information (as detailed in this section), in 2024, we did not “sell” or “share” job applicant personal information as defined in the CCPA, and we have no plans to do so, regardless of the age of the individual.

8. Duration of processing

Generally, we will process your Personal Data for the time only which is necessary to complete the purpose. The length of time for which we retain Personal Data depends on the purposes for which we collected and use it and any applicable legal requirements. We determine retention periods by evaluating our legal obligations and legitimate business interests (such as backing up systems or maintaining our organizational history).

In case your application was not successful we will usually delete or anonymize your Personal Data from the application after six (6) month upon informing you that your application was not successful or receiving notice from you that you do not intend to proceed with the application, unless you have provided us with your consent to keep your application in our talent pool.

In case we process your personal data to assert or defend from a legal claim, we will process your Personal Data as long as necessary for this purpose.

In some cases, or for some personal data, we may have to store your Personal Data longer, e.g. in case of compliance investigations, security logs in our system (usually 1 year) or systematic automated deletion of emails. We may also store your data longer for purposes, such as tax or compliance documentation, e.g. in case we provided you with travel expenses to visit us for an interview as well as if we processed personal data in other occasions, such as visiting our [website](#). On such other occasions we provide you with separate information.

9. Security

We use a variety of technical, physical, and organizational security measures designed to protect Personal Data against unauthorized access, alteration, disclosure, or destruction of information. Please keep in mind that no security measures are perfect or impenetrable.

10. Profiling and automated decision making

Where permitted by law, we may use automated decision-making and similar tools for automated processing of personal information of applicants in certain jurisdictions (collectively, **“automated processing”**). In certain jurisdictions we may use automated processing in the following situations, in each case to the extent permitted by applicable law:

- To analyze certain personal information and professional details collected from or about applicants to better identify individuals with particular skills for particular roles
- To monitor use of candidate application portals or other Exyte application systems
- To comply with legal obligations and defend legal rights
- To prevent, investigate and/or detect unauthorized or illegal activity

Under some laws, you may have the right to opt out of the processing of your personal information for purposes of profiling or automated decision-making in furtherance of decisions that produce legal or similarly significant effects. You may do so by following the instructions below in Section 11 (“Your rights”).

We work to provide meaningful information about the logic involved in automated processing to help ensure that consent to automated processing is specific, informed, and voluntary and to ensure that applicants are not adversely affected by a decision to withhold or revoke consent to automated processing.

We do not base decisions which produce legal or similar significant effects to you solely on automated decision making, such as automated profiling.

In some cases, we may assemble profiles on scientific basis to assess indications for specific abilities or attributes for an important position. We will discuss this with you separately as the case may be and will expressly indicate such automated processing in advance.

We may classify and organize your data for searchability and classification to match the profile to attributes of the job description and easier match you or search your profile in terms of such criteria. This will involve parsing, reading your profile via a large language model and comparing them to job descriptions. Final decisions are always made by humans.

11. Your rights

You may have certain rights with respect to the handling of your Personal Data in our custody or control.

Depending on applicable law, upon request we will inform you whether Exyte processes any Personal Data about you, and if yes which.

Depending on applicable law, if we process your Personal Data in order to advertise, you have the right to object to the processing of your Personal Data for the purpose of advertising at any time. If you object to the processing for purposes of advertising, your Personal Data will no longer be processed for this purpose.

The easiest method to object to advertisement or marketing is to send an email to the email address TalentAcquisition@exyte.net. However, we accept any other form of objections to advertisement, which allows us to clearly identify you.

Furthermore, in some jurisdictions you have the right to object against other processing of your Personal Data, based on your particular situation. In case you object to such processing based on your particular situation, we will only proceed processing if our compelling legitimate grounds to process your data overrides your interest, rights or freedoms to stop processing your Personal Data or for the exercise or defense of legal claims. This also applies to profiling based on the aforementioned.

Depending on applicable law, you have the right to correct your incorrect or incomplete Personal Data.

If the processing of Personal Data concerning you is based on your consent, you have the right to revoke your consent at any time. The lawfulness of the processing on the basis of the consent until the revocation is not affected.

You also have the right to lodge a complaint with the competent supervisory authority for data protection matters.

If you are a California resident, you may have some of the rights described above. Specifically, the CCPA may permit you to request that we:

- Provide access to and/or a copy of certain information we hold about you;
- Delete certain information we have about you;
- Correct certain personal information we have about you;
- Opt you out of certain processing of your information using an “automated decision-making technology” (as such term is defined under the CCPA);
- Inform you about the categories of personal information we have collected about you in the preceding 12 months; the categories of sources of such information; the business or commercial purpose for collecting or selling your personal information; and the categories of third parties with whom we have disclosed certain personal information, and more specific detail about what categories of information were “sold” or “shared” (as defined in the CCPA) or disclosed to particular categories of third parties, similar to the detail provided above in the Applicant Notice. As described in Section 7 of this Applicant Notice, we do not “sell” or “share” the personal information covered by this Applicant Notice and have not done so in the twelve months prior to the effective date of this Notice.



Please note that certain information may be exempt from such requests under California law. For example, we need certain information to evaluate job applications, so we may reject a deletion request for that information if you still wish for us to evaluate your job application, or we may give you the opportunity with withdraw your application.

To request to exercise any of the rights described in this Section 10, please contact us at with your name and the type of request you are making, preferably by email at TalentAcquisition@exyte.net. We reserve the right to require verification of your identify before we fulfill a request, which may include requiring you to login to an existing Exyte account, providing us with information that matches our records for you, responding to an email we send, or taking other steps relevant to your relationship with us and the nature of your request.

If you are an agent making a request on behalf of an applicant, we reserve the right to take steps to verify that you are authorized to make that request, which may include requiring you to provide us with written proof such as a notarized authentication letter or a legally sufficient power of attorney signed by the data subject pursuant to California Probate Code sections 4121 to 4130, or other written authorization acceptable to us. We also may require the applicant to verify their identity directly with us where permitted. We are not responsible for the security risks of this or any other arrangements that a consumer may have with an agent. For clarity, this is not permission for any user to disclose their login credentials to an agent or any third party. Such disclosure is prohibited and is not required for an agent to make requests under this Applicant Notice.

For security and legal reasons, however, Exyte reserves the right not to accept requests that require us to access third-party websites or services.

In accordance with applicable law, you have a right not to receive “discriminatory treatment” (within the meaning of the CCPA) or be subject to retaliation for the exercise of the privacy rights conferred by the CCPA.