

# Privacy Policy for the Endress+Hauser People Solution

Status: September 2021

The Endress+Hauser People Solution platform is a cloud-based software solution that enables Endress+Hauser companies to provide HR services related to the employment relationship and accurate training for employees and external learners from a single source and in a single application. The Endress+Hauser People Solution platform comprises the following sub-applications:

- Employee Central
- People Doc (Digital Personnel File, Document Generation and eSignature)
- HR Ticketing "AskHR"
- Learning "LMS"

We always treat your personal data in accordance with the legal data protection regulations (e.g. GDPR as far as applicable) and this data protection information. With this data protection information, we would like to inform you about the personal data which is collected and processed via the Endress+Hauser People Solution platform and for what purposes. At the same time, we hereby provide you with the legally required information in accordance with Art. 13 and 14 GDPR (General data protection regulation). This data protection information also describes your data protection rights, including the right to object to certain processing.

## **A. GENERAL INFORMATION**

### **1. Scope**

This data protection information applies to the processing of personal data which is processed via the Endress+Hauser People Solution platform as part of the employment relationship between you and the responsible Endress+Hauser company or between you as an external learner and the responsible Endress+Hauser company. In addition, the data protection information for employees and applicants can be applicable.

### **2. Definitions**

Unless otherwise defined herein, the statutory definitions (e.g. of the GDPR) shall apply.

### **3. Responsible, data protection officer**

The Endress+Hauser People Solution platform is operated by SAP Deutschland SE & Co. KG, Hasso-Plattner-Ring 7, 69190 Walldorf on behalf of Endress+Hauser InfoServe GmbH+Co. KG, Colmarer Str. 6, 79576 Weil am Rhein. Information regarding the Endress+Hauser company responsible for processing your data can be found in Sections B and C.

### **4. Rights of the data subjects**

Insofar as the processing of your personal data by the responsible company is covered by the GDPR, you have the following rights, otherwise the local legal provisions applicable to the processing by the responsible company apply:

#### **a) Rights according to Art. 15 ff. GDPR**

The data subject shall have the right to obtain confirmation from the controller as to whether personal data relating to him are being processed. If this is the case, he/she has the **right to be informed** about these personal data and to receive the information specified in Art. 15 GDPR. Under certain legal conditions, you have the right of **rectification** under Art. 16 GDPR, the right to limit processing under Art. 18 GDPR and the right of **cancellation** ("right to be forgotten") under Art. 17 GDPR. In addition, you have the

right to have the data provided by you released in a structured, common and machine-readable format ("**right to data transferability**") in accordance with Art. 20 GDPR, provided that the processing is carried out using automated procedures and is based on consent in accordance with Art. 6 para. 1 lit. a) or Art. 9 para. 2 lit. a) or on a contract in accordance with Art. 6 para. 1 lit. b) GDPR.

#### **b) Revocation of a consent according to Art. 7 para. 3 GDPR**

If the processing is based on a consent pursuant to Art. 6 para. 1 lit. a) or Art. 9 para. 2 lit. a) GDPR, you may revoke your consent to the processing of personal data at any time vis-à-vis us. Please note that the revocation is only effective for the future. Processing that took place before the revocation is not affected.

#### **c) Right of appeal**

You have the possibility to address a complaint to the responsible company or to a data protection supervisory authority (Art. 77 GDPR). Information regarding the responsible company for processing your data and, if applicable, the data protection officer and the competent supervisory authority can be found on the Endress+Hauser website.

#### **d) Right of objection according to Art. 21 GDPR**

In addition to the aforementioned rights, you have the right of objection as follows:

You have the right to object at any time, for reasons arising from your particular situation, to the processing of your personal data, which is carried out on the basis of Art. 6, para. 1 lit. f) GDPR (data processing based on a balancing of interests).

If you object, we will no longer process your personal data unless we can prove compelling reasons for processing that are worthy of protection and outweigh your interests, rights and freedoms or the processing serves to assert, exercise or defend legal claims.

### **B. DATA PROCESSING THROUGH EMPLOYEE CENTRAL, PEOPLE DOC AND ASK HR**

#### **5. Responsible, data protection officer**

The Endress+Hauser company responsible for processing your data in accordance with data protection laws, is the Endress+Hauser company you are working for. The name and contact details of the data protection responsible and its representative and, if applicable, the data protection officer and the competent supervisory authority can be found on the relevant Endress+Hauser website or can be provided to you by the HR Business Partner in charge.

#### **6. What is the source of the data?**

Your personal data is always collected directly from you, especially during the recruitment process or during the employment relationship. They are necessarily mentioned in company documents and/or records that are prepared by you and your colleagues in the course of fulfilling your tasks and the business activities of the company.

In certain constellations, your personal data may also be collected by other parties due to legal regulations. These include event-related queries of tax-relevant information with the responsible authorities as well as information on periods of incapacity to work with the respective health insurance company.

#### **7. Categories of affected persons**

We process data of Endress+Hauser employees and of externals, working for an Endress+Hauser company, such as contingent workers or contractors.

#### **8. Nature of the personal data processed**

The following types of personal data are processed through:

### Employee Central

- Personal information such as name, first name, salutation, title, private address, emergency contact, nationality, gender, marital status, birth date, etc.
- Data of relatives and the relationship to you
- Employment details such as position, employment level, company, type of employment contract etc.
- Salary information

### People Doc (Digital Personnel File, Document Generation and eSignature)

- Contracts such as employment contract, powers of attorney, loan agreements etc.
- Documents concerning performance assessments and appraisal interviews
- Documents on pregnancy and parental leave such as pregnancy notification etc.
- Documents on disciplinary measures or warnings
- Documents concerning termination of employment such as resignation or letter of termination
- Certificates such as job references, interim certificates or employer's certificate
- Data necessary for processing of payments such as tax documents, allowances or travel expenses
- Data concerning time management such as time statements
- Documents about training and further education, certificates of development planning etc.
- Documents about company cars, company pension scheme, advanced payment
- Personal documents such as health insurance certificate, marriage certificate, copy of ID/passport, work and residence permit
- Application documents
- Documents concerning secondment such as contracts, permits, tax and health insurance certificate etc.

### HR Ticketing "Ask HR"

- Personnel number, surname, first name, user ID, business phone number(s), business (or private) email address
- E-mail correspondence including attachments
- Company, place, country, time zone
- Affected employee, contacting employee, responsible team

## **9. Purpose of processing and legal basis**

We process this personal data in accordance with the provisions of the EU Data Protection Basic Regulation (GDPR) and national data protection regulations:

- a. For the performance of contractual obligations (Art. 6 para. 1 b) GDPR)

The primary purpose of data processing is to establish, implement and terminate the employment relationship. The primary legal basis for this is Art. 6 para. 1 b) GDPR. In addition, collective agreements (group, general and works agreements as well as collective bargaining agreements) may be considered as legal basis in accordance with Art. 6 para. 1 b) in conjunction with Art. 88 para. 1 GDPR.

- b. To safeguard legitimate interests in the context of weighing up interests (Art. 6 para. 1 f) GDPR)

As far as necessary, we process your data beyond the actual fulfillment of the contract to protect legitimate interests of us or third parties, namely

- Forwarding of data within the Endress+Hauser Group
- Enforcement of legal claims and defense in legal disputes
- Guarantee of information security
- Management and controlling, in particular usage of aggregated employment-related figures (like employee retention rate or ratio of internally staffed positions) in HR Analytics and Reporting to support future business decisions

c. On the basis of your consent (Art. 6 para. 1 a) GDPR)

If you have given us your consent to process personal data for specific purposes (e.g. film and photo shoots), the legality of this processing is based on your consent. A granted consent can be revoked at any time. Please note that the revocation is only effective for the future. Processing that took place before the revocation is not affected.

d. Due to legal requirements (Art. 6 para. 1 c) GDPR) or in the public interest (Art. 6 para. 1 e) GDPR)

We are also subject to various legal obligations, i.e. legal requirements. The purposes of processing include, among others, identity verification, compliance with tax and social law control and reporting obligations.

e. Processing of special categories of personal data (Art. 9 para. 2 b) GDPR)

The processing is necessary to comply with the rights and obligations arising from employment law, social security and social protection legislation.

## **C. DATA PROCESSING THROUGH LEARNING LMS**

### **10. Responsible, data protection officer**

The Endress+Hauser company responsible for processing your data in accordance with data protection laws, is the Endress+Hauser company you are working for or which is organizing the training as responsible entity. The name and contact details of the data protection responsible and its representative and, if applicable, the data protection officer and the competent supervisory authority can be found on the relevant Endress+Hauser website or can be provided to you by the HR Business Partner in charge. External learners may request such information via email to [askhr@peoplesolution.com](mailto:askhr@peoplesolution.com).

Furthermore, for trainings provided by the Endress+Hauser Group and rolled-out globally, the following company is responsible:

**Endress+Hauser Group Services AG**  
Kägenstrasse 2, 4153 Reinach BL, Switzerland  
E-Mail: [dataprotection@endress.com](mailto:dataprotection@endress.com)

The representative in the European Union of Endress+Hauser Group Services AG is

**Endress+Hauser InfoServe GmbH+Co. KG**  
Colmarer Str. 6, 79576 Weil am Rhein, Germany  
E-Mail: [info.is@endress.com](mailto:info.is@endress.com)

### **11. What is the source of the data?**

Your personal data is always collected directly from you, either during the employment relationship or when you use Learning LMS. For external learners and trainers, data can also be collected when you register for Learning LMS.

### **12. Registration for external learners**

To access Learning LMS, external learners and trainers must register once. For this purpose you have to submit the mandatory data to the responsible Endress+Hauser company which will initiate the registration via Endress+Hauser Shared Service Center Ireland. The data entered during registration will be used for the purposes of providing and managing the training courses and the use of the Learning LMS in other respects.

### **13. Categories of affected persons**

We process data of Endress+Hauser employees, external learners and external trainers.

### **14. Nature of the personal data processed**

The following types of personal data are processed through Learning LMS:

- Master data (e.g. surname, first name, title, company, function, personnel number)
- Contact details (e.g., email, phone numbers)
- Other optional data you enter in your user profile
- Data within the scope of the registration for a specific training (among others training, date, content)
- Data automatically transmitted by your browser (e.g. IP address, geolocation, time etc.)
- Cookies and similar technologies (details can be found [here](#))
- Login name for external learners
- Participation in online training, learning activities, and learning states.
- Content data (e.g., text input, photographs, videos)
- Data in the context of the provision of the Learning LMS and processing by SAP

## 15. Purpose of processing and legal basis

We process this personal data in accordance with the provisions of the EU Data Protection Basic Regulation (GDPR) and national data protection regulations:

- a. For the performance of contractual obligations (Art. 6 para. 1 b) GDPR)

The primary purpose of data processing is to provide adequate trainings for Endress+Hauser employees and external learners in the course of an existing employment relationship or an existing contractual business relationship. The legal basis for this is Art. 6 para. 1 b) GDPR.

- b. To safeguard legitimate interests in the context of weighing up interests (Art. 6 para. 1 f) GDPR)

As far as necessary, we process your data to protect legitimate interests of us or third parties, namely

- Forwarding of data within the Endress+Hauser Group
- Enforcement of legal claims and defense in legal disputes
- Guarantee of information security
- Stability and security of the Endress+Hauser People Solution
- Management and controlling, in particular usage of aggregated figures related to training, learning activities, and learning states to support future business decisions

- c. On the basis of your consent (Art. 6 para. 1 a) GDPR)

If you have given us your consent to process personal data for specific purposes (e.g. voice-over in a training course), the legality of this processing is based on your consent. A granted consent can be revoked at any time. Please note that the revocation is only effective for the future. Processing that took place before the revocation is not affected.

- d. Due to legal requirements (Art. 6 para. 1 c) GDPR) or in the public interest (Art. 6 para. 1 e) GDPR)

We are also subject to various legal obligations, i.e. legal requirements. The purposes of processing include, among others, identity verification, compliance with laws and reporting obligations.

## **D. TRANSFER OF PERSONAL DATA**

### 16. Transfer of personal data to third parties

Data will only be passed on to third parties within the framework of the legal requirements. We will only pass on your data to third parties if this is necessary, e.g. on the basis of Art. 6 para. 1 lit. b) GDPR for contractual purposes, to safeguard our overriding legitimate interest in accordance with Art. 6 para. 1 lit. f) GDPR, within the framework of processing on behalf of the data controller or on the basis of legal obligations to pass on data to the competent authorities in accordance with Art. 6 para. 1 lit. c) GDPR.

Within the responsible Endress+Hauser company, access to your data is granted to those functions that require it in accordance with the "need-to-know" principle. We also transfer data to our subsidiaries and affiliated companies if this is necessary to achieve the respective purpose.

In particular, the following recipients may receive data for the achievement of a purpose if required by data protection law:

- Affiliated companies of the Endress+Hauser Group, in particular
  - o Endress+Hauser InfoServe as the central data center
  - o Endress+Hauser Shared Service Center Ireland
- Works Council
- Public bodies and authorities to fulfill legal notification obligations, e.g. tax authorities, social insurance carriers, criminal prosecution
- Insurance
- Service providers, such as lawyers, auditors
- Processors on behalf of data controller such as SAP for Employee Central or LinkedIn Learning for Learning LMS

#### **17. Transfer of personal data to a third country or international organization**

Data will only be transferred to countries outside the EU/EEA (so-called third countries) if this is necessary or required by law, if you gave us your consent, or in the context of processing on behalf of data controller. If service providers are used in third countries, they are obliged to comply with the level of data protection in Europe in addition to written instructions through the agreement of the EU standard contract clauses or, if applicable, further protective measures.

### **E. FINAL PROVISIONS**

#### **18. Duration of storage**

We process and store your personal data for as long as it is necessary to fulfil our contractual and legal obligations and to achieve legitimate purposes and interests. We delete your personal data as soon as they are no longer required for the above-mentioned purposes. It may happen that personal data is retained for the time during which claims can be made against our companies. We also store your personal data to the extent that we are legally obliged to do so. Corresponding proof and storage obligations result in particular from commercial, tax and social security law regulations.

#### **19. Does automated decision making or profiling take place?**

An automated decision-making including profiling is not carried out by us.

#### **20. Security**

We have taken technical and organizational security measures (for the EU according to Art. 24, 32 GDPR) to protect your personal data from loss, destruction, manipulation and unauthorized access. All our employees and all third parties involved in data processing are obliged to comply with the applicable data protection laws and to handle personal data confidentially.

#### **21. Changes to our privacy policy**

We reserve the right to change our security and data protection measures if this becomes necessary due to technical developments or legal changes. In these cases we will also adapt this data protection information accordingly. Therefore, please note the latest version of our data protection information.