

Privacy Policy for Applicants (Recruiting)

This Privacy Policy informs you as to how SML processes your personal data if you apply for a job advertised by us.

It also describes your data protection rights, including the right to object to part of the processing which SML carries out.

This Privacy Policy shall apply in addition to our existing [Privacy & Cookie Policy](#), in which you receive specific information about how we process your personal data when you visit our website or for topics which are not specific to an application.

CONTROLLER

The controller for the processing of personal data within the meaning of Article 4(7) GDPR is the company named in the job advert.

You can find the contact details for SML's data protection officer [here](#).

DATA COLLECTION

Within the framework of the selection process, we collect and process the following categories of personal data:

- The contact details in your candidate profile (e.g. first and last name, country, email, telephone number)
- Details from the application form (including, for example, desired salary, your motivation etc.)
- Application documents (including, for example, CV, address, details on career development, qualifications and language skills)
- Any testimonials and references which you provide to us.

We may also obtain the above data regarding you from other sources, including external business partners, e.g. personnel service providers. We may also receive data which you have published on professional social networking sites such as LinkedIn, or which are sent to us via third-party websites, e.g. job sites, or from other publicly accessible sources (only if the data is relevant to your professional life). The purpose is to contact you regarding job offers, or to check the accuracy of details from the application documents.

NATURE AND PURPOSE OF THE PROCESSING OF PERSONAL DATA

Your personal data is processed exclusively for the following purposes:

- Initiating and establishing the employment relationship
- In order to contact you if you should be considered for an alternative role
- If you have given us consent to ask you about your satisfaction with the application process

- To contact you about your speculative application
- In order to send you personalised information regarding vacancies according to your consent

LEGAL BASIS

We collect and process your personal data in order to offer advertised jobs, and to be able to carry out the selection process.

The details of your personal data in the course of the application process is voluntary. You must provide personal details, however, in order for us to process your application or conclude a contract of employment with you.

If we obtain information from your public profile on professional social networks, we base processing on our legitimate interest in forming a basis for deciding to establish an employment relationship with you. The legal basis is Article 6(1)(f) GDPR.

Moreover, we may process personal details about you, if this is necessary in order to defend from legal actions asserted against us and arising from the application process. The legal basis is Article 6(1)(b) and (f) GDPR. The legitimate interest may, for example, be a burden of proof in proceedings according to the Allgemeines Gleichbehandlungsgesetz (AGG, German General Equal Treatment Act).

RECIPIENTS OF DATA

Your personal data may be processed on our behalf on the basis of contracts according to Article 28 GDPR, especially by providers of systems for applicant management and applicant selection procedures. Personal data will not be transferred to third parties if this is not relevant to applicant management and applicant selection procedures or the purposes described in the section “Nature and purpose of the processing of personal data”.

We reserve the right, in the event of a legal obligation, to disclose information about you, if the disclosure is demanded of us by legally acting authorities or prosecution bodies. The legal basis is Article 6(1)(c) GDPR.

YOUR RIGHTS

- **Right to access**
You have the right to information regarding the personal data stored in our company in relation to your person. Please contact the above controller regarding this.
- **Right to rectification or deletion**
You may rectify your personal data by sending us an email. You may also demand the deletion of your data under particular circumstances.
- **Right to restriction of processing**
Under particular circumstances, you may demand that the processing of your data be restricted, for example if the accuracy of your data is disputed and should be checked by us

- **The right to object to processing**

You may object to your data being processed on the basis of our legitimate interests. Beyond this, you have the right to complain to a supervisory authority at any time.

RETENTION PERIOD

We store your personal data for a period of 12 months after the end of the application process. This is necessary for the burden of proof in proceedings according to the Allgemeines Gleichbehandlungsgesetz (AGG). We also store data for this period in the case of an alternative job advert for which you are a suitable candidate.

If your application is successful, we store your personal data for the whole duration of your employment according to the privacy policy for employees, which we will send to you when you accept the job.

OBJECTION OR REVOCATION OF YOUR CONSENT TO THE PROCESSING OF YOUR DATA

If you have given consent (Article 6(1)(a) GDPR) to the processing of your data (e.g. if you participate in a survey about your satisfaction with the application process), you may revoke this consent at any time. Such a revocation will influence the admissibility of processing your personal data after you have expressed it to us.

If we process your personal data based on weighing of interests (Article 6(1)(f) GDPR), you may object to the processing. This is especially the case if the processing is not necessary in order to fulfil a contract with you. If you lodge such an objection, we ask you to give the reasons why we should not process your personal data as we are currently doing. If you lodge a justified objection, we will check the facts of the case and will either stop processing the data or adjust the processing, or indicate to you our mandatory, protection-worthy reasons for continuing the processing.

You can reach us using the following CONTACT DETAILS:

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