



Data protection information for employees and applicants

MaxSolar GmbH
Schmidhamer Str. 22
83278 Traunstein

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In the following, we would like to inform you about the handling of your personal data.

As the protection of your personal data is very important to us, we treat your personal data confidentially and in accordance with the current statutory data protection regulations. Personal data means all data that can be used to identify you personally.

Responsible for data processing is:

MaxSolar GmbH
Schmidhamer Str. 22
83278 Traunstein

Phone: 0861 / 213966-0

E-Mail: info@maxsolar.de

Please contact us directly if you have any questions, requests or comments on the subject of data protection.

Data Protection Officer:

Veit Krahl
E-mail: mail@veit-krahl.de

What data do we collect from you, when, for what purpose and on what basis?

We collect and store personal data when you apply to us or enter into an employment relationship with us.

In the case of an application, we collect and store the information that you provide to us in your application documents.

In the case of an employment relationship, we collect contact information, identity data (e.g. gender, date of birth, nationality), transaction data (e.g. bank details), as well as any other data required for the fulfillment of the employment relationship, payroll accounting or compliance with legal requirements.

The processing is carried out exclusively to fulfill the employment relationship, as well as the associated legal requirements or (in the case of applicants) the associated pre-contractual measures (§26 BDSG (2018), Art. 6 para. 1 lit. b and c).

If we wish to retain an application for a longer period of time, we will obtain your consent to do so.

If we wish to process your data that is not absolutely necessary for the employment relationship, we will only do so if you have given us your consent to do so.

The basis for data processing is then Art. 6 para. 1 lit. a GDPR, which permits the processing of data on the basis of consent.

If we process your data on the basis of your consent, we store the consent you have given on the basis of Art. 6 para. 1 lit. f GDPR, which permits the processing of data in the context of a balancing of interests. It is in our interest to be able to prove that consent has been given if necessary.

What happens if you do not provide us with the data?

The personal data collected as part of the employment relationship is necessary for the fulfillment of the employment relationship and the associated legal requirements. Failure to provide it will mean that we cannot enter into the employment relationship.

If you do not wish to give your consent to the processing of personal data requested by us, we will not process this data. You will not suffer any disadvantage if you do not give your consent.

To whom data is passed on

We pass on personal data to providers of various software solutions (cloud providers) as part of our normal work processes. We ensure the security of processing required by the GDPR and your rights as a data subject, e.g. via an order processing contract. The basis for the transfer is Art. 6 para. 1 lit. f GDPR, which permits the processing of data in the context of a balancing of interests in combination with Art. 28 GDPR. It is in the company's interest to organize its business activities using the best possible software solution. After carefully examining a large number of providers, the solution used has proven to be the best possible for the company's individual needs.

We pass on personal data of employees to a service provider for the purpose of payroll accounting. The basis for the transfer is Art. 6 para. 1 lit. f GDPR, which permits the processing of data in the context of a balancing of interests. It is in the company's interest to involve a specialized provider for critical and demanding sub-processes, such as payroll accounting, in order to achieve the necessary legal certainty.

If this is necessary in the context of business trips, we pass on personal data to third parties involved in the business trip (e.g. hotels, airlines, authorities). If necessary, this transfer also takes place in third countries with a non-comparable level of data protection.

Our employees use a variety of different tools, forums and portals as part of their daily work. Normally, at least an e-mail address is required to log in to one of these portals. If the solution is not hosted by us but by a third party, your business e-mail address will be transferred to the respective provider.

We use Microsoft Teams for internal communication, communication with customers and communication with applicants. If you communicate with us by video or audio conference via the internet, your personal data will be collected and processed by us and the provider (Microsoft). The provider collects all data that you provide/enter to use the tool (e-mail address and/or your telephone number). In addition, further information such as the duration of the conference, start and end (time) of participation in the conference, number of participants and other "contextual information" in connection with the communication process (metadata) is processed. In addition, the provider of the tool processes all technical data required to handle online communication. This includes, in particular, IP addresses, MAC addresses, device IDs, device type, operating system type and version, client version, camera type, microphone or loudspeaker and the type of connection. If content is exchanged, uploaded or provided in any other way within the tool, this is also stored on the tool provider's servers. Such content includes, in particular, cloud recordings, chat/instant messages, voicemails, uploaded photos and videos, files, whiteboards and other information shared while using the service.

The provider of Microsoft Teams is Microsoft Ireland Operations Limited, One Microsoft Place, South County Business Park, Leopardstown, Dublin 18, Ireland. Further details on data processing can be found in the Microsoft Teams privacy policy:

<https://privacy.microsoft.com/de-de/privacystatement>

Microsoft Teams is used to optimize internal communication. The basis for data processing is Art. 6 para. 1 lit. f GDPR, which permits the processing of data in the context of a balancing of interests. It is in the interest of the company to optimize business processes through suitable solutions. We have concluded an order processing contract (AVV) with the above-mentioned provider.

We do not make any recordings of video conferences. Should this be necessary in individual cases, we would obtain your consent for this.

We pass on personal data to providers of various software solutions (cloud providers) as part of our normal work processes. We ensure the security of processing required by the GDPR and your rights as a data subject, e.g. via an order processing contract. The basis for the transfer is Art. 6 para. 1 lit. f GDPR, which permits the processing of data in the context of a balancing of interests in combination with Art. 28 GDPR. It is in the company's interest to organize its business activities using the best possible software solution. After carefully examining a large number of providers, the solution used has proven to be the best possible for the company's individual needs.

If we are subject to a legal requirement to do so, we also pass on personal data to offices and authorities. The basis for the disclosure is then Art. 6 para. 1 lit. c GDPR, which permits the processing of data to fulfill a legal obligation.

How we protect your data

Your data is primarily stored on our business premises in Germany. We ensure that this data is protected appropriately and in accordance with the current state of the art.

If we pass on data to third parties as part of order processing, we contractually ensure that the service provider also protects this data appropriately and in accordance with the current state of the art.

How long we store your data

If we reject an application, the applicant's documents and associated personal data will be automatically deleted, returned to the applicant or destroyed no later than 6 months after the last communication, unless the applicant agrees to a different procedure.

If the application documents (in the event of an employment relationship not being established) are to be retained for positions that become vacant at a later date, this will only be done with the consent of the applicant. In this case, the documents will be deleted, returned to the applicant or destroyed after 2 years at the latest.

Employee data is deleted or destroyed 10 years after the employee leaves the company, provided there are no legal requirements to the contrary.

If it is necessary to archive data in order to comply with statutory retention periods, it will be deleted after the retention period has expired.

What rights do you have

If the data processing is carried out on the basis of Art. 6 para. 1 lit. e or f GDPR, you have the right to object to the processing of your personal data at any time for reasons arising from your particular situation; this also applies to profiling based on these provisions. If you object, we will no longer process your personal data concerned unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing serves the establishment, exercise or defense of legal claims (objection pursuant to Art. 21 (1) GDPR).

If your personal data is processed for the purpose of direct marketing, you have the right to object at any time to the processing of personal data concerning you for the purpose of such marketing; this also applies to profiling insofar as it is associated with such direct marketing. If you object, your personal data will subsequently no longer be used for the purpose of direct marketing (objection pursuant to Art. 21 (2) GDPR).

You have the right to receive information about the origin, recipient and purpose of the storage of your stored personal data at any time and free of charge. You also have the right to have your personal data corrected or supplemented, deleted or blocked.

You have the right to demand the restriction of processing in the following cases:

If you dispute the accuracy of the personal data stored by us and we need time to check this. For the duration of the review, you have the right to restrict the processing of your personal data.

If the processing is unlawful.

If your personal data is no longer required for the purposes of processing, but you need it to assert, exercise or defend legal claims, or to comply with legal obligations.

If you have objected to the processing and it has not yet been established that the legitimate grounds of the controller override your grounds

If you have requested a restriction, this data (apart from its storage) may only be processed with your consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the European Union or of a Member State.

You have the right to revoke your consent at any time and without giving reasons for the future. All you need to do is send an informal message to the controller. The legality of the data processing carried out until the revocation remains unaffected by the revocation.

You have the right to have data that we process automatically on the basis of your consent or in fulfillment of a contract handed over to you in a common, machine-readable format or transferred to a third party. If you request the direct transfer of the data to another controller, this will only take place if it is technically feasible.

If you wish to exercise a right or have questions about data protection in our company, you can contact us at any time at the address given above or in the legal notice.

You also have the right to lodge a complaint with a supervisory authority.

You can find a list of the supervisory authorities at the following link:

https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html