

Data Protection Information for Applicants

Responsible Party

functionHR GmbH, Lothringer Straße 7, 81667 München, call@functionhr.de

Data protection officer

Dr. Nils Christian Haag (dataprotection@functionhr.com)

Categories of Data

We process your personal data insofar as this is necessary for carrying out the application process. This includes the following categories of data:

Standard information: Applicant master data (first name, last name, address, job position), qualification data (cover letter, curriculum vitae, previous activities, professional qualifications), (employment) references and certificates (performance data, assessment data, etc.). Other information: Publicly available, job-related data, such as profiles on professional social media networks. Voluntary information, such as an application photo, information on severe disability status, or other information that you voluntarily provide to us in your application.

Purpose of Processing

We process the personal data that you provide to us as part of your application for the purpose of carrying out the application process and deciding on the establishment of an employment relationship.

Legal Basis

The processing of your personal data is carried out in accordance with Article 6(1)(b) GDPR (pre-contractual measures). If you expressly consent to further storage (e.g. inclusion in an applicant pool), processing is additionally carried out on the basis of Article 6(1)(a) GDPR and Section 26(2) of the German Federal Data Protection Act (BDSG).

On the basis of the legitimate interest of the responsible party Article 6(1)(f) GDPR, the following applies:

In certain cases, we process your data to safeguard a legitimate interest of ours or of third parties.

This includes the defense of legal claims in proceedings under the General Equal Treatment Act (AGG). In the event of a legal dispute, we have a legitimate interest in processing the data for evidentiary purposes.

Data matching with EU anti-terror lists pursuant to Regulations (EC) No. 2580/2001 and 881/2002:

As a company, we are obliged under EU law to participate in combating terrorism. Funds may not be made available to persons and organizations listed on the terrorism lists (provision ban). For this reason, we are obliged to carry out a name comparison with the terrorism lists.

Recipients

Within our company, only those persons have access to your application documents who are entrusted with personnel selection (e.g. Human Resources Department, specialist department, management). If you contact us via an applicant management system, your data may also be processed by this system.

As a general rule, however, we do not pass on your data to third parties without your express consent.

If you have further questions regarding individual recipients, please contact us at: jobs@functionhr.com

Data Transfer / Security Notice

Please note that the transmission of your application documents via our online form or by email is currently unencrypted. There is no provision for encrypted transmission of your data. We therefore ask you not to transmit any sensitive information (e.g. health data) via this channel. Alternatively, you may also submit your application to us by post.

A transfer to a third country is not intended.

Storage Period

We store your personal data for as long as this is necessary for the decision on your application. If an employment relationship between you and us is not established, we may continue to store data insofar as this is necessary to defend against possible legal claims. As a rule, your data will be deleted within six months after completion of the application process.

If an employment relationship is not established, but you have given us your consent to further storage of your data, we will store your data until you revoke your consent, but for no longer than an additional three years. If there is a specific reason, we may also store your data for a longer period for the purpose of defending against possible legal claims.

Your Rights

You have the following rights with regard to your personal data:

Right of access (Article 15 GDPR), subject to restrictions pursuant to Sections 34 and 35 BDSG

Right to rectification (Article 16 GDPR)

Right to erasure (Article 17 GDPR), subject to restrictions pursuant to Sections 34 and 35 BDSG

Right to restriction of processing (Article 18 GDPR)

Right to data portability (Article 20 GDPR)

Right to object (Article 21 GDPR). You also have the right to lodge a complaint with a data protection supervisory authority.

In the event of your objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights, and freedoms, or the processing serves the assertion, exercise, or defense of legal claims.

Further Rights

In addition, you have the right to rectification of incorrect data or to erasure of your data. If there is no reason for further storage, we will delete your data; otherwise, we will restrict the processing. You may also request that we provide all personal data that you have provided to us in a structured, commonly used, and machine-readable format either to you or to a person or company of your choice.

Exercising Your Rights

To exercise your rights, you may contact the responsible party or the data protection officer using the contact details provided, or contact the Human Resources Department at jobs@functionhr.com. We will process your requests promptly and in accordance with the statutory requirements and inform you of the measures we have taken.

Notice on Automated Decision-Making

Automated decision-making, including profiling, pursuant to Article 22 GDPR does not take place.

Is There an Obligation to Provide Your Personal Data?

The provision of personal data is neither legally nor contractually required, nor are you obliged to provide personal data. However, the provision of personal data is necessary for conducting the application process. This means that if you do not provide us with personal data as part of an application, we will not be able to carry out the application process.

Changes to this Information

If the purpose or manner of processing your personal data changes significantly, we will update this information in a timely manner and inform you of the changes accordingly.