

Privacy notice for job applicants

1. Purpose of this privacy notice

In this privacy notice, Melisana AG, Grüngasse 19, 8004 Zurich (hereinafter "we" or "Melisana") wishes to inform you in accordance with Art. 13 and Art. 14 of the General Data Protection Regulation ("GDPR") about data processing when you are applying for a job with us and, where applicable, when starting your employment relationship with Melisana.

2. Contact details of the controller

The controller is

Melisana AG, Grüngasse 19, 8004 Zurich, www.melisana.ch; info@melisana.ch

3. Contact details of the data protection officer

Our external data protection officer is

Mr Alexander Bugl
Bugl & Kollegen Gesellschaft für Datenschutz und Informationssicherheit mbH
Eifelstraße 55
93057 Regensburg, Germany
Tel. +49 941-630 49 789
Email: Datenschutz.buglundkollegen@klosterfrau.de

4. Subject matter, purpose and legal bases of processing

We process your personal data as part of your application to us.

The information below explains the purposes for and legal basis on which we process your data.

a. Your data as part of your application

We process all personal data that you provide as part of your application. This enables us to assess your skills and evaluate whether you are suitable for the job vacancy at our company.

As a rule, the applicant data includes the following: first and last name, your academic title if applicable, date and place of birth, contact details (address, email, landline and mobile phone number, both business and personal), application documents (education and work experience, application photo if applicable), language skills, other skills, and work permit if submitted. If we contact you or invite you to a job interview, we will also store meeting minutes and interview evaluations.

The legal basis for this processing is Art. 6(1)(1)(b) GDPR.

b. Storage in our database (talent pool)

If you consent to the ongoing storage of your applicant data in our database (talent pool), we will store the following information: A description of your work experience, skills and education, contact information that makes you identifiable, e.g. your name, address, telephone number and email address. You also have the option of adding other electronically stored documents to your application, such as cover letter, certificates, application photo, etc.

The legal basis for this processing is Art. 6(1)(1)(a) GDPR.

5. Sources

We use the following sources to obtain data that we have not collected direct from you:

- RAV Zürich Hardturmstrasse, Hardturmstrasse 11, 8090 Zurich
- Authorities or other government agencies, e.g. the Federal Employment Agency
- Stettler Consulting AG, Executive Services Health Care, Burgstrasse 29, 8706 Meilen
- Other service providers in the human resources sector
- Your previous employers, if you have consented to us contacting them as part of the application process.

6. Categories of recipients of your data

Your personal data will initially only be processed by our employees.

If required in the context of your employment relationship with us, (some of) your personal data will be passed on to our affiliated companies and subsidiaries.

If we are legally or contractually required to do so, we will forward some of your data to the relevant authorities. These are, in particular, public bodies such as social security organisations, authorities or courts.

Finally, our organisation uses service providers. We will provide them with (some of) your data so that they can provide us with their services by carrying out their tasks. These service providers operate under an order processing contract per Art. 28 GDPR. Under this contract, they must process your data strictly in accordance with our instructions. We will not transfer your data to these providers without your consent.

7. Transfers to third countries

Data are only transferred to countries outside the EU or the European Economic Area EEA ("third countries") if this is necessary in order to manage our contractual relationships, or is permitted or required by law, or if you have given us your consent, or as part of order processing. When we use service providers in third countries, they are required to comply with the level of data protection in Europe by agreeing to the EU Standard Contractual Clauses. Alternatively, we transfer the data based on an adequacy decision by the European Commission. Further information can be obtained from our data protection officer.

8. How long we store your data

We generally store your personal data for the duration of the application process.

If we do not hire you, we will delete your data six months after the position has been filled, unless you have consented to ongoing storage in the talent pool in accordance with section 4 b). If you have consented to ongoing storage, we will store your data until you withdraw your consent, but for no longer than 18 months.

9. Obligation to provide your data

Some of the personal data that you provide us with in connection with your employment relationship is required by law or contract, or is necessary in order to establish or properly implement your employment contract. You are therefore obliged to provide us with this personal data. Please note that if you do not provide this personal data, we may be unable to employ you or to fulfil certain obligations under the employment contract.

10. Automated decision-making/profiling

We do not use automated decision-making or profiling.

11. Your rights as a data subject

As a data subject, you have the following legal rights, which you can exercise with us:

- **Right of access:** Under Art. 15 GDPR you have the right at any time to obtain confirmation from us as to whether we are processing personal data concerning you. If this is the case, you have the right under Art. 15 GDPR to access information about this personal data and certain other information (including processing purposes, categories of personal data, categories of recipients, planned storage period, your rights, the source of the data, the use of automated decision-making and, in the case of transfer to a third country, the appropriate guarantees), and to obtain a copy of your data.
- **Right to rectification:** Under Art. 16 GDPR you have the right to demand that we rectify the personal data stored about you if it is inaccurate or incorrect.
 - **Right to erasure:** Under the conditions in Art. 17 GDPR, you have the right to demand that we erase personal data concerning you without undue delay. In certain cases, the right to erasure does not apply: for example, if the processing of personal data is necessary (i) to exercise the right of freedom of expression and information, (ii) to comply with a legal obligation to which we are subject (e.g. statutory retention obligations) or (iii) to establish, exercise or defend legal claims.
- **Right to restriction of processing:** Under the conditions in Art. 18 GDPR you have the right to demand that we restrict the processing of your personal data.
- **Right to data portability:** Under the conditions in Art. 20 GDPR, you have the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format.
- **Withdrawal of consent:** You have the right to withdraw your consent to the processing of personal data at any time with effect for the future. In this case, we will inform the data recipient accordingly and refrain in future from processing the data for the purposes covered by the consent. For documentation purposes, we store information about your withdrawal.

Information about your right to object under Art. 21 GDPR

You have the right to object at any time, on grounds relating to your particular situation, to the processing of your data based on Art. 6(1)(1)(f) GDPR (data processing on the basis of a balancing of interests). This also applies to profiling based on this provision within the meaning of Art. 4(4) GDPR.

If you object, we will no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

To exercise your aforementioned data protection rights, please contact us or our external data protection officer using the contact details provided above.

In addition to the rights listed above, you have the right to lodge a complaint with a supervisory authority in accordance with Art. 77 GDPR if you believe that your personal data is being processed unlawfully.

Last updated: September 2023