

Information regarding employee data protection (EU GDPR)

From 25 May 2018, the EU General Data Protection Regulation (EU GDPR) and the revised Federal Data Protection Act (BDSG) will take effect with significantly enhanced employee data protection. These regulations include extended information obligations on the part of all data collection agencies, including the employer. The legal basis for this data processing is Article 6 Para 1 b EU GDPR in conjunction with Section 26 Para. 1 BDSG. This is why, in compliance with the new legal regulations, we would like to provide you with information about the data processing carried out by us. Please note that this concerns data processing that we have already carried out legally in the past and in the respective applicable data protection context, which is why there will be no changes to the employment contract.

Your employer is responsible for data processing:

Charité - Universitätsmedizin Berlin

Charitéplatz 1

10117 Berlin

Telephone: +49 (0) 30 450-50

www.charite.de

The data you provide as part of your employment contract (e.g. surname, first name, address, bank details) and that arise from the employment relationship (e.g. salary details, sickness periods and other absences) are processed. Furthermore, we process personal data transmitted about you, e.g. tax criteria, which is communicated to us by the respective tax office.

General data processing as part of the employment contract

The processing and transmission of data is for payroll accounting and complying with recording, information and reporting obligations if this is required by law or collective agreement regulations or employment contract obligations, including automatically generated and archived text documents (e.g. correspondence, log files) in these matters.

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Without this data, we will not be able to conclude or execute the contract with you. This also applies to all voluntary and obligatory social contributions made by the employer as well as to external and, if applicable, internal education and further training opportunities.

The data relevant in each individual case is transmitted on the basis of the statutory provisions or contractual agreement, essentially to the following places:

- external print service providers (pay statements);
- banks dealing with payment to the data subject or third party;
- social insurance agencies (e.g. health insurance); pension companies;
- accident insurance, professional association;
- Pension Institution of the Federal Republic and the Federal States (VBL) and, if applicable, direct insurance schemes, building societies, etc.;
- pension schemes:
- insurance companies as part of existing group or individual insurance;
- medical associations;
- Federal Insurance Fund for Miners;
- jointly insured persons;
- company doctors;
- Chamber of Commerce and Industry (IHK) and dentists' associations, vocational schools (for apprenticeships);
- tax office;
- Federal Employment Agency;
- state offices for health and social affairs and for occupational safety, health protection and technical safety;
- competent occupational safety authorities;
- legal interest representation;
- election committee for staff council elections;
- workforce representation (staff council, youth and trainee representation);
- trade union specified by the employee with the consent of the data subject;
- legal representatives;
- courts;
- creditors of the data subject and other parties involved in any associated legal proceedings, including in the case of voluntary assignments of salaries for due claims;
- corporate divisions controlling, finance; civil protection, BIH, subsidiaries;
- education and further training providers;
- BVG (Berlin Transport Authority) in the event of job tickets.

Your personal data is usually collected directly from you as part of the recruitment process or during your employment. In certain circumstances, your personal data may also be collected from other bodies due to legal regulations. These notably include event-related enquiries for tax-relevant information from the responsible tax office and information on sickness periods from the respective health insurance company. If special categories of personal data are processed in accordance with Article 9 Para. 1 EU GDPR, this serves to exercise the rights or to fulfil legal obligations from labour law, social security law and social protection (e.g. specifying health data to health insurance

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companies, recording severe disability because of additional leave and determining compensatory levies for the disabled) as part of employment. This is done based on Article 9 Para. 2 b) EU GDPR in conjunction with Section 26 Para. 3 BDSG. In addition, processing health data for assessing your ability to work may be necessary in accordance with Article 9 Para. 2 h) in conjunction with Section 22 Para. 1 b) BDSG. Aside from that, we may have received information from third parties (e.g. employment agencies).

Data processing for system administration and security purposes

Due to the applicable legal data security regulations, a range of your data is processed for system administration and security, such as the administration of user identifications, the allocation of hardware and software to system users and for system security. This includes automatically created and archived text documents (e.g. correspondence) in these matters. Without this data processing, secure system operation and therefore employment in our company is not possible.

Publishing professional contact details on the Intranet

Professional contact details are published on the Intranet for getting in touch with colleagues. This is done based on our legitimate interest in smooth business operations.

Publishing professional contact details on the company website

In order for customers and suppliers to contact us, some professional contact details of those employees with external contacts are published on the Internet. This is done based on our legitimate interest in smooth business operations.

Data processing in the event of labour disputes

If a legal dispute arises during the employment relationship or after termination, the data necessary for the appropriate legal prosecution will be transmitted to legal representatives and courts or arbitration bodies.

Processing optional information – consent

In addition, processing special categories of personal data may be based on consent in accordance with Article 9 Para. 2 a) EU GDPR in conjunction with Section 26 Para. 2 BDSG. These include, for example, participation in voluntary occupational medical check-ups with the company doctor (computer workstation) or specifying your religion to exercise the corresponding rights.

All consent given can be revoked independently of each other at any time. A consequence of revocation is that we will no longer be able to process your data for the aforementioned purposes

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from that point in time and by doing so, the corresponding rights, advantages, etc. can no longer be claimed. For revocation please contact: personalleitung@charite.de

Storage period

We store your data within the scope of the statutory retention obligations. This is usually up to 10 years or, in the cases of possible claims against us, up to 30 years in accordance with the statutory limitation periods.

Which data protection rights can you assert as a data subject?

You can request **information** about personal data stored about you from the above address. Furthermore, you can request the **correction** or **deletion** of your data under certain conditions. You may also have **a right to restrict the processing** of your data and **a right to have the data you provide disclosed** in a structured, common and machine-readable format.

You can reach us using the following contact details: personalleitung@charite.de

Right to objection

You have the right to object to the processing of your personal data for direct marketing purposes without giving reasons. If we process your data to protect legitimate interests, you may object to processing for reasons arising from your particular situation. We will no longer process personal data unless we can prove compelling legitimate reasons for the processing, which outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

Right to complain

You have the option of contacting Charité's data protection officer with a complaint. You can reach our data protection officer Ms Janet Fahron at datenschutz@charite.de.

You can also direct a complain to a data protection regulatory authority. The data protection regulatory authority responsible for us is:

Berliner Beauftragte für Datenschutz und Informationsfreiheit (Berlin Officer for Data Privacy and Freedom of Information)

Friedrichstr. 219 (visitor's entrance: Puttkamerstr. 16 – 18 (5th floor))
10969 Berlin

Telephone: +49 (0) 30 13889-0 | Telefax: +49 (0) 30 2155050 |

Email: mailbox@datenschutz-berlin.de