

NOTICE FOR APPLICANTS AND EMPLOYEES:  
PROCESSING OF PERSONAL DATA ART. 13 GDPR

### 1. Information about the person responsible and contact details

Your personal data will be collected by SHOWA DENKO CARBON Germany GmbH ("we" /"us" /"our"). If you have any questions or complaints regarding the use of your personal data or this Privacy Policy for Applicants and Employees, you can contact our Data Protection Officer: [datenschutz@showadenkocarbon.com](mailto:datenschutz@showadenkocarbon.com).

Our contact details are as follows:

SHOWA DENKO CARBON Germany GmbH  
Daimlerstrasse 19  
D-86368 Gersthofen  
Phone: +49 (0) 821 20715 183

### 2. Data Protection Officer

Our data protection officer is Dentons GmbH, Thurn-und-Taxis-Platz 6, 60313 Frankfurt am Main, Phone: +49 69 45 00 12 390,

Email: [datenschutz@showadenkocarbon.com](mailto:datenschutz@showadenkocarbon.com).

### 3. Personal data collected

We collect the following personal data about you during the recruitment process and your employment.

#### 3.1. Recruitment process

- **Information you provide in your CV, application form, cover letter and during the application process**, such as name, date of birth, age, gender, residential address, private email address, education, qualifications, work experience and references.
- **Information collected or created by us during the hiring process**: including interview notes and correspondence between us.
- **Special categories of personal data**: including but not limited to information about disabilities, information about physical or mental health, as well as immigration/naturalization documents (if these reveal information about your racial or ethnic origin) or sexual orientation.

#### 3.2. Employment

Stand: March 2022

### 3.2.1. Personal data concerning you

- **Personal identifiers:** such as title, name, date of birth, age, gender, home address, private email address, phone number, social security number and tax identification number.
- **CURRICULUM VITAE:** which contains information about your education and training, such as qualifications, academic achievements, schools, educational qualifications and specialist knowledge.
- **Personnel records,** the offer letters, recommendations, the acknowledgment of policies, employment contracts, promotion and transfer records, employee approvals and certificates, termination letters, dismissal interview notes and severance agreements, performance evaluations and reviews, leave requests and dismissal documents, disciplinary, Include evidence of complaints and training as well as professional memberships.
- **Information** provided as part of the recruitment or application process ("see above").
- **Employment details:** such as employment status, job title(s) and description, employee identification, type of activity and whether full or part-time, place of work, date of employment, date of termination, individual photo and organization details such as company name, work phone number and e-mail, user login on the intranet, details of department and supervisor.
- **Financial information:** such as salary and compensation history, benefits (including enrollment and application forms, reports on provisions and years of service, documents summarizing your enrollment and participation in benefits programs, general employee communications related to benefits), salary, travel expenses, paycheck information, bank account information, bonus goals, retirement information, and credit card usage.
- Records created in connection with **investigations** into allegations of misconduct or for the general purpose of **gathering facts** or other information.
- **Other information:** such as photos, visa-related immigration information for foreign workers.
- **Special categories of personal data:** including denomination (for tax purposes), information on disabilities, information on physical or mental health, and

immigration/naturalisation documents (if these reveal information on racial and ethnic origin).

### **3.2.2. Information about your family**

- Emergency contact person(s) and their contact details (voluntary information).
- Marital status, number of persons and names of dependants and spouse (if any), to the extent necessary to grant employee benefits.
- Information on insurance coverage and other benefits for employees and their families.

### **3.2.3. Information about your use of our information and communication systems**

- Records of your use of our IT systems including email, internet systems, computers, laptops (including remote access), telephone systems and mobile devices in accordance with our IT Policy
- Video recordings and other information obtained by electronic means such as B recordings of magnetic cards (e.g. time recording system).

## **4. How we use your personal data**

### **4.1. Recruitment process**

We use your personal data to drive the recruitment process, evaluate and make a decision about your suitability for a job, communicate with you and conduct reference checks. We also use your data to comply with legal and regulatory requirements.

### **4.2. Employment**

We will process your personal data for the following purposes:

- We use information about absences, which may also be due to illness or family, for the purpose of complying with work, social security and social protection law as well as for the collection and administration of sick leave and maternity leave.
- We use information about your physical or mental status or disability status to ensure your health and safety in the workplace and to assess your absence for health reasons in compliance with reasonable guarantees of confidentiality, to make appropriate job adjustments and to administer related benefits.

- To the extent we are legally required to do so, we use information about your racial and ethnic origin, as well as information about your health, disability, religious, philosophical or moral beliefs, to ensure meaningful equal opportunity monitoring and reporting and to integrate you as an employee and administer your employment contract.

## **5. Sources of collection of your personal data**

Your personal data will either (a) be provided to us by you; (b) provided to us by third parties, as part of the forwarding of an application, our own research in the course of the recruitment process or your employment, with the exception of any type of private social network or other non-business source of information; or (c) created by us as part of the recruitment process or employment.

## **6. Legal bases according to which we process your personal data**

In accordance with this notice, we generally process your personal data in accordance with § 26 of the Federal Data Protection Act in conjunction with Art. 88 GDPR and, if applicable, in conjunction with Art. 6 and Art. 9 of the GDPR. Specifically, the legal bases are as follows:

- For the initiation, implementation and termination of the employment relationship (§ 26 (1) Federal Data Protection Act)
- where the processing is necessary for the performance of the obligations and for the exercise of specific rights of the controller or the data subject in the field of labour, social security and social protection law, as far as such processing is approved by Union or Member State law, or by a collective agreement under the law of the Member State which provides for suitable safeguards for the fundamental rights and interests of the data subject (§ 26 (3) Federal Data Protection Act);
- for our legitimate interests, e.B. to: (a) ensure the effective management and administration of the recruitment process; (b) ensure that we recruit a suitable person for a position; (c) resolve disputes and accidents and seek legal or other professional advice; (d) improve our recruitment processes; and (e) to check your ability to work (§ 26 (1) Federal Data Protection Act);
- to comply with a legal or regulatory obligation (Art. 6 para. 1 c) GDPR); and
- to conclude an employment contract with you if you are successful with your application (§ 26 (1) Federal Data Protection Act);
- if it is necessary for the establishment, exercise or defence or for legal claims in connection with legal proceedings (Art. 9 para. 1 f) GDPR, Art. 6 (1) lit. f) GDPR);

- if there is a significant public interest (Art. 6 para. 1 lit. e) GDPR);
- if it is necessary to protect your vital interests or the vital interests of another natural person (Art. 6 para. 1 lit. d) GDPR);
- In exceptional cases: if you have given your express consent in advance (Art. 6 para. 1 lit. a) GDPR in conjunction with § 26 (2) Federal Data Protection Act).

## 7. Disclosure of personal data

We will share your personal data with companies, organisations and individuals within and outside our group as follows (subject to a legal review of the respective transfer admissibility in individual cases):

- If applicable, to other employees and companies of our group, including in third countries outside the European Union, to the extent necessary for administrative, management and accounting purposes and in the context of our regular reporting on corporate performance, in the context of a corporate restructuring or group restructuring, to support system maintenance and to provide data;
- subject to taking reasonable measures to ensure that your data is kept secure at all times;
- to suppliers, sellers and contractors who provide services to us and process your personal data for the purposes set out above, on the basis of our instructions, including carrying out the processing on our behalf, such as (a) providers of preventive examinations, (b) payroll providers, (c) pension providers, (d) providers of employee services (such as leasing cars), (e) IT administrators, (f) medical providers (such as occupational medicine), (g) training providers, (h) auditors, (i) building security providers, (j) lawyers and other professional advisers;
- to competent authorities (e.B. tax authorities, immigration authorities), courts and other legally required institutions;
- to comply with any applicable law, regulation, legal process or enforceable governmental or regulatory requirements , e.B. to authorities/bodies (for tax and social security authorities);
- to enforce your employment contract with us, including the investigation of possible violations;
- to detect, prevent or otherwise remedy fraud, security or technical problems;

- to provide potential buyers or buyers with information related to the sale of businesses or assets of our or our group companies, to the extent permitted by law;
- to provide your information to other group companies as part of a corporate restructuring; or
- to protect against damage to the rights, property or safety of us or our group companies, our employees, contractors, customers or the public, to the extent required or permitted by law.

Please note that we are a company in an international group. Our parent company is located in Japan. In addition, we have subsidiaries in other third countries outside the European Union (for example in the USA), where the level of data protection has been partially found to be insufficient by the EU Commission. Employment with us generally requires that your personal data is shared to the extent necessary with the employees of the various Group companies at the different locations. This applies both to the general contact data in the context of daily business communication with colleagues and business partners abroad, as well as to your HR file (in whole or in part), as far as it is necessary for the management and operational operation of the entire Group.

## **8. How we use personal data of special categories**

We will process your special categories of personal data:

- if you have given your express consent;
- to check whether we need to make appropriate adjustments during the recruitment process and to verify your ability to work;
- for the monitoring of equal opportunities;
- if it is necessary for the establishment, exercise or defence of legal claims;
- to comply with legal or regulatory obligations;
- exceptionally, if it is necessary for your vital interests or the vital interests of another person (e.B. to avoid a serious risk of harm to you or others) and if you are unable to give consent;
- if you have already published the relevant personal data.

## 9. Storage of your data

We store your personal data for the duration of the recruitment process, your employment and for the duration of any limitation period for claims that could later be made against us. There are also certain types of information, such as .B tax records, that must be kept by law for a certain period of time (e.B. 6 to 10 years in Germany).

If your application was not successful, we will store the personal data for the duration of any limitation period for claims that could later be made against us (e.B. 3 years in Germany).

## 10. Backup your data

We follow strict security measures to ensure that your personal data is stored and used and who views it so that unauthorized persons cannot access it.

## 11. Where your data is stored

On the one hand, your personal data is stored on our local servers in Germany. In addition, as necessary, some of your HR data will be shared with and stored by our employees in Japan, USA and Malaysia. For these data transfers, we have completed the necessary legal instruments in accordance with Chapter V of the GDPR. You can consult these legal instruments at any time. For this purpose, we ask for a request to [datenschutz@showadenkokarbon.com](mailto:datenschutz@showadenkokarbon.com).

## 12. Your rights

In connection with your data, you have the following rights: the right of access, rectification, erasure, opposition, restriction, transfer and the right to withdraw consent and lodge a complaint with a supervisory authority.

- **Access:** You have the right to ask us if we process your data and, if so, you can request access to your personal data (right to access personal data). This allows you to obtain a copy of the personal data we hold about you and to verify that we are lawfully processing it.
- **Correction:** You have the right to request that any incomplete or inaccurate personal data we hold about you be corrected.
- **Deletion:** You have the right to ask us to delete or remove personal data in certain circumstances. There are also certain exceptions where we may refuse a request for erasure, e.B. if the personal data is necessary to comply with the law or in connection with claims.
- **Restriction:** You have the right to ask us to suspend the processing of certain of your personal data about you, for example if you want us to establish its

accuracy or the reason for the processing.

- **Transfer:** You can request the transfer of certain of your personal data to another party.
- **Objection: If we process your personal data on the basis of a legitimate interest (from us from a third party), you can object to the processing for this reason. However, we may be legally entitled to continue processing your data on the basis of our legitimate interests. In this case, we will inform you about this situation.**

If you wish to exercise any of these rights, please contact us in writing at [datenschutz@showadenkocarbon.com](mailto:datenschutz@showadenkocarbon.com) and request further information.

You also have the right to lodge a complaint with a supervisory authority, in particular in the Member State of the European Union where you have your habitual residence, where you work or where there is an alleged breach of data protection law.

### **13. Right to withdraw consent**

In the limited cases where you have given your consent to the collection and processing of your personal data for a specific purpose, you have the right to withdraw your consent for that particular processing at any time. To withdraw your consent, please contact [datenschutz@showadenkocarbon.com](mailto:datenschutz@showadenkocarbon.com).

### **14. Changes and additions**

This Notice may be amended from time to time if required by law or factual changes in operations.

If we change anything important about this Notice (e.B information we collect, how we use it or why), we will notify you.

### **15. German version**

Please note that the English version of this notice constitutes a convenience translation. In case of interpretation deviations the German version prevails.