

INFORMATION CLAUSE FOR JOB APPLICANTS

(RECRUITMENT)

Pursuant to Article 13(1) and (2) of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (hereinafter referred to as

We inform you that the abbreviations used in this information clause mean:

1. **Personal data** – any information relating to an identified or identifiable individual (“**data subject**”); an identifiable individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name and surname, an identification number, location data, an on-line identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that individual;
2. **Recipient of data** – a natural or legal person, public authority, entity or other body to whom personal data is disclosed, whether or not a third party. However, public authorities that may receive personal data in the context of a specific proceeding in accordance with generally applicable law are not considered recipients – the processing of such data by these public authorities must comply with the data protection legislation applicable according to the purposes of the processing; whereby the expression, "third party" is understood to mean a natural or legal person, public authority, entity or body other than the data subject, controller, processor or persons who, under the authority of the Controller or processor, may process personal data.
3. **Processing** – an operation or a set of operations performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
4. **GDPR** – the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC.
5. **Data Subject's consent** – voluntary, specific, informed and unambiguous indication of the data subject's will, in the form of a statement or explicit affirmative action, to allow the processing of personal data relating to them.

Rules for processing personal data:

- 1) you are not obliged to participate in the recruitment process,
- 2) your failure to provide data, submit or complete consent to process personal data will result in exclusion from the recruitment process (the application will not be considered).

INFORMATION CLAUSE (recruitment)

1. Information about the Personal Data Controller and the Data Protection Supervisor

The controller of your personal data is manager of the Łukasiewicz Research Network – Automotive Industry Institute, ul. Mieczysława Pożaryskiego 28, 04-703 Warsaw, tel. 22 11 25 200, fax 22 11 25 444, e-mail: kontakt@lukasiewicz.gov.pl.

For data collection, processing and protection, you can contact: ul. Mieczysława Pożaryskiego 28, 04-703 Warsaw, e-mail: iod@iel.lukasiewicz.gov.pl .

2. Information on data collected/collected:

1) **Purpose of processing:** the recruitment procedure, including the establishment of contact during the conduct phase of the process and the establishment of the employment relationship in the event of a successful outcome, as well as the archiving of documents following the recruitment in accordance with the requirements of common law.

2) **The basis for processing personal data is:**

- a) article 6(1)(b) of the GDPR;
- b) article 22(1) of the Labour Code and the Act of 14 July 1983 on the national archive resource and archives in conjunction with article 6(1)(c) of the GDPR;
- c) article 6(1)(a) of the GDPR and article 6(1)(c) of the GDPR.

Information on data provision requirement: The provision of personal data within the scope of Article 22(1) of the Labour Code (e.g. first name, surname, contact details, education, course of previous employment, requirements for employment) is voluntary, but necessary to participate in the recruitment process for a job position at the Łukasiewicz Research Network – Institute of Electrical Engineering. The provision of other data to the extent not stipulated by law will be considered as consent to the processing of personal data. Your consent in this case is voluntary and can be revoked at any time. If the data provided will include special categories of data as referred to in Article 9(1) of the GDPR¹, explicit consent to the processing of such data will be required, which can be revoked at any time. Consent should then be forwarded to the Łukasiewicz Research Network – Institute of Electrical Engineering together with the recruitment documents. Proposed content of consent to process personal data:

- "I consent to the processing of my personal data as indicated in Article 9(1) of the GDPR for the purposes of recruitment by the Łukasiewicz Research Network – Institute of Electrical Engineering and possibly the conclusion of a contract of employment in accordance with the requirements of the GDPR".

Categories of personal data concerned: job applicants.

¹ Article 9 GDPR paragraph 1 – The processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person or data concerning a person's health, sexuality or sexual orientation shall be prohibited; paragraph 2 – par. 1 shall not apply if one of the following conditions is met:

- a) the data subject has given his or her explicit consent to the processing of those personal data for one or more specific purposes, unless Union law or Member State law provide that the data subject may not waive the prohibition referred to in paragraph 1;
- b) the processing is necessary for the purposes of complying with obligations and exercising specific rights by the controller or the data subject in the areas of labour law, social security and social protection in so far as it is authorised by Union law or Member State law, or by a collective agreement under Member State law providing for adequate safeguards for the fundamental rights and interests of the data subject; (...).

Source of personal data: the data were provided by the data subjects (data subject).

3) Information on the conclusion of a processing entrustment agreement: The Łukasiewicz Research Network – Institute of Electrical Engineering may enter into entrustment agreements for:

- a) third parties involved in the recruitment process,
- b) service providers supplying the Łukasiewicz Research Network – Institute of Electrical Engineering with technical and organisational solutions ensuring efficient management (in particular ICT service providers, equipment suppliers, courier and postal companies).

4) Information on recipients of personal data or categories of recipients, if any: authorised control bodies.

5) Information on the intent to transfer personal data to a recipient in a third country or to an international organisation and whether or not the European Commission has found an adequate level of protection or in the case of a transfer referred to in Article 46, Article 47 or the second subsection of Article 49(1) of the GDPR: Information on the intent to transfer personal data to a recipient in a third country or to an international organisation and whether or not the European Commission has found an adequate level of protection or in the case of a transfer referred to in Article 46, Article 47 or the second subsection of Article 49(1) of the GDPR: The Personal Data Administrator uses Microsoft Office 365, which may result in the transfer of your personal data to a third country. The terms and conditions for the use of the MS Office 365 Online Services and the obligations with regard to the processing and safeguarding of user data and personal data by the Online Services are set out in Microsoft documentation, including in particular:

- a) privacy statement – <https://privacy.microsoft.com/pl-pl/privacystatement>;
- b) microsoft Services Agreement (MSA) – <https://www.microsoft.com/plpl/servicesagreement/>.

As part of Microsoft Office services, data entered into Microsoft Office 365 will be processed and stored in a specific geographical location. In accordance with the functionality of Microsoft Office services, the available administrative panel in the 'Organisation Profile' indicates that data is processed within the European Union.

Microsoft undertakes to comply with the laws on the provision of Online Services that apply to IT providers in general.

Microsoft conducts annual audits of Online Services, including security audits of computers, the IT environment and physical Data Centres, overseen and authorised by Microsoft, including the law, details of which can be found at <https://www.microsoft.com/pl-pl/trustcenter/privacy?docid=27>.

6) The period for which the personal data will be stored and, where this is not possible, the criteria for determining this period,

- a) personal data is processed for the duration of the recruitment process;
- b) the documents are destroyed within 3 months from the date of the end of the recruitment process (submitted documents are removed from the portal, where the vacancy has been advertised, electronic mailboxes, print-outs are destroyed); the destruction of the above-mentioned documents, in which the job applicants will be indicated (name and surname and other additional data identifying the requester, e.g. date of birth, e-mail address) for the given position will be acknowledged by a report providing the date of the destruction of the documents and signatures of persons involved in the destruction of the documents; the above

personal data will be processed only for purposes of proof and accountability of personal data processing;

- c) the data of the person employed as a result of the recruitment are stored in accordance with the requirements of the generally applicable legislation on the retention of personal files;
- d) documents relating to recruitment submitted after the closing date set out in the vacancy advertisement will not be considered; they will be deleted in accordance with point b;
- e) special circumstances:
 - i. if a job candidate consents to the processing of his/her personal data in future recruitment of the Łukasiewicz Research Network – Institute of Electrical Engineering his/her personal data may be processed for a period of 6 months from the date of being transferred to the Łukasiewicz Research Network – Institute of Electrical Engineering; after this period, the documents will be destroyed according to the principles set out in point b;
 - ii. documents forwarded to the Łukasiewicz Research Network – Institute of Electrical Engineering (without recruitment being announced; a person sends documents despite the fact that no vacancy has been announced), they are removed from mailboxes or printed copies are destroyed immediately after their receipt (no later than within 3 months of their receipt, unless they contain consent to the processing of personal data in future recruitments conducted at the Łukasiewicz Research Network – Institute of Electrical Engineering, and, if this is the case, such documents may be stored for a period of 6 months from the date of their receipt; a protocol of the action will be drawn up in accordance with the principles set out in point. b.
- f) Documents (including records of persons participating in a given recruitment process, which includes the following personal data: name of the candidate, e-mail address, telephone number, city of residence) related to the recruitment, with the exception of candidate applications, are kept for a period of 2 years.

7) **Information on the profiling** (by profiling is meant any form of automated processing of personal data which involves the use of personal data to evaluate certain personal factors of an individual, in particular to analyse or predict aspects relating to that individual's performance, economic situation, health, personal preferences, interests, reliability, behaviour, location or movement): not applicable.

3. Information on the rights of the data subject:

- 1) You have the right:
 - a) to provide access your personal data;
 - b) to rectify your personal data;
 - c) to erase your personal data;
 - d) to limit the processing of your personal data;
 - e) to withdraw consent to the processing of personal data by submitting/sending a letter to: : The Łukasiewicz Research Network – Institute of Electrical Engineering with its registered office at ul. Mieczysław Pożaryski 28, 04-703 Warsaw, [e-mail: iod@iel.lukasiewicz.gov.pl](mailto:iod@iel.lukasiewicz.gov.pl)– if you have previously given such consent and the processing of data concerning you takes place on the basis thereof,
 - f) transfer your personal data;
 - g) object to the processing of your personal data on grounds relating to your particular situation in accordance with Article 21 GDPR.

2) The data subject has the right to lodge a complaint related to the processing of his/her personal data by the Data Controller or the entity/organisation whose personal data has been provided to: President of the Personal Data Protection Office, ul. Stawki 2, 00-193 Warsaw, phone 22 531 03 00, fax. 22 531 03 01, <https://uodo.gov.pl/pl/p/kontakt>.

We would like to inform you that our premises are covered by video surveillance.