



Privacy Statement HRlab

As of: 09/2020

HRIlab (hereinafter "HRIlab" or "service") shall be provided as a cloud-based software service for personnel management by HRIlab GmbH, Wattstraße 11, D-13355 Berlin (hereinafter "HRIlab GmbH", "we" or "us"). The use of HRIlab is subject to the respective contractually agreed terms of use.

The users of the service within the meaning of this Privacy Policy are both the employers as contractual partners of HRIlab GmbH with regard to the use of the service or its personnel managers and administrators as well as the employees of the respective employer.

HRIlab includes the following functions in this regard:

- Administrative functions that enable employers to enter and manage information about on their respective employees centrally and to plan and manage operations and processes in the area of HR management.
- Analytical functions that enable the user to evaluate, prepare and visualise the data entered in the service for various purposes and on the basis of various parameters. Among other things, this includes the creation of overviews, statistics, graphs, structures and other values and indicators in connection with the personnel management on the basis of the data entered in the service.
- Interfaces/APIs that enable the integration of service offers of other providers (hereinafter "third-party provider software" or third-party providers").

We collect, process and use data on behalf of our contractual partners during use of the service. Since protecting the privacy of our users when using the service is important to us, we would like use the following information to inform you of which personal data we collect while providing this service and how we handle this data.

This Privacy Policy can be inspected online at any time on our homepage within the service.

Questions or suggestions on data protection can be sent to us either by post (HRIlab GmbH, Wattstraße 11, D-13355 Berlin) or by e-mail to the address dataprotection@hrlab.de.

1. Responsible bodies

HRIlab GmbH, Wattstraße 11, D-13355 Berlin, is responsible for all data processing that serves to allow the employer and its employees to use HRIlab. This involves the data processing procedures described under sections 4.1, 4.3 and 4.7 of this Privacy Policy. Information on further processing under sections 4.9 - 4.12 and section 5 of this Privacy Policy also only applies to such data processed by HRIlab GmbH on its own responsibility.

Meanwhile, we only offer users a technical solution or platform. In the context of the substantive use of the service by the users, we collect and process personal data exclusively on the instructions of the respective employer. This involves the data processing procedures described under sections 4.2, 4.4, 4.5 4.6 and 4.8 of this Privacy Policy. This data processing occurs on the respective employer's own comprehensive (data protection) responsibility. Further information on data processing by the employer may be found in the employer's own Privacy Policy, if applicable.

2. References to laws in this Privacy Policy

This Policy complies with the requirements for a privacy policy according to the provisions of the General Data Protection Regulation (GDPR).

3. Contact with the responsible data protection officer

You can contact our responsible data protection officer at dataprotection@hrlab.de.

4. Collection and use of your data

As the responsible body, we use your data exclusively in compliance with the applicable data protection laws and as described in this Privacy Policy. Further processing of this data by us as the responsible body only takes place on the basis of a statutory obligation or if you have given us your consent.

To be specific, we process and store data as follows:

4.1 Registration / creation of a user account

Employers must register with HRlab GmbH and create a user account in order to be able to use the service.

In order to register, employers must state their company or business name, their first and last name or the first and last name of the person in charge of use of the service (hereinafter "person in charge") as well as their e-mail address or the e-mail address of the person in charge (collectively referred to as "profile content").

Furthermore, employers must designate one or more personnel managers for their respective user account.

We save all of this information in the respective user account.

We process this data in order to establish and implement the contractual relationship on the use of the service between employers and ourselves and to ensure the proper use of the service by the employers.

The data is processed on the basis of the statutory regulations that permit data processing because it is necessary for fulfilment of the agreement on the use of the service or because we have a legitimate interest in ensuring the proper use of the service, without this being in conflict with an overriding interest of the data subjects.

4.2 Creation of employee profiles

Employers can create personalised profiles for their employees as part of their user accounts (hereinafter "employee profiles"). The creation of employee profiles and the entry of employee data is the responsibility of the employers under data protection law. Employers must in particular

ensure that they are entitled under data protection law to enter employee data in the service or have it entered by their employees.

Admission occurs when the respective employer creates an employee profile, stating the first and last name and a valid business e-mail address of the respective employee. As a result, the respective employee is sent a corresponding request to the e-mail address provided and the employee in question accepts this request. If employees do not have a business e-mail address, the request is sent to the employee in another form.

Additional information about the respective employee can be entered in the employee profile either by the employer or the respective employee (hereinafter referred to as "employee data" together with the information provided when creating the employee profile).

The employee data may include the following information:

- master data (first and last name, birth name, form of address, academic title, personnel number, gender, date of birth, country of birth, city of birth, nationality, existence and duration of a work and residence permit, ID);
- contact details (address, e-mail addresses, telephone numbers, Facebook link, LinkedIn link);
- payroll accounting data (salary, bonuses, account data, tax numbers, tax bracket, marital status, children's allowances, proof of parenthood, religious affiliation, religious affiliation of partner, uniform flat-rate tax, main or secondary employment, tax allowances, maternity, parental leave, social insurance number, membership and scope of health and pension insurance, unemployment insurance, nursing care insurance, occupational pension scheme);
- health data, (illness-related absences, disability);
- organisational and personnel planning data (qualifications of the employees, organigrams, work schedules, time recording, business travel planning, leave planning, workflows, responsibilities, equipment, documents);
- contractual data (position/job title, employment agreements, date of retirement, foreign deployments, leave entitlement, organisational assignment, confidentiality obligation declarations, non-disclosure agreements, application documents, curriculum vita, etc.);
- access authorisation to HRlab (classification in the authorisation group such as administrator, human resources, user, etc.).

We save the employee data in the respective employee profile and provide it as part of the service for the respective employer (and) its person in charge as service provider subject to directives.

4.3 Login and general use of the service

To use the service, users must log in with the data they provided or received during registration. You must enter the following data to log-in:

- username (e-mail address provided during registration for the service or creation of the employee profile);
- Password

We communicate a generated password to users by e-mail to the e-mail address provided, which the user needs to log in to the service. Users can always change this password in their user account or employee profile. Under certain circumstances, we may have to specify the username and password, for example, when using interfaces/APIs.

We save the username and password for each user account or employee profile.

In addition, we automatically save certain data as part of the use of the service by the user. This includes: the IP address or device ID assigned to the respective terminal, which we need in order to transmit the requested content (e.g. in particular content, texts, pictures, product information and files provided for download, etc.), user behaviour as part of the service, the type of the respective terminal, the browser type used and date and time of use.

This data processing occurs to fulfil the agreement between the employers and HRlab GmbH regarding the use of the service and the services owed under it.

In addition, we preserve this information for a maximum of seven days in order to detect and track abuse. Our legitimate interest in the data processing consists in ensuring proper functioning of our website and the service.

For the rest, we delete or anonymise the usage data including the IP addresses immediately as soon as it is no longer needed for the aforementioned purpose.

The data is processed on the basis of the statutory regulations that permit data processing because it is necessary for fulfilment of the agreement on the use of the service or because we have a legitimate interest in ensuring the security and functionality of the service and its proper use, without this being in conflict with a predominant interest of the data subjects.

4.4 Provision of administration functions

In order to fulfil and execute the agreement on the use of the service between HRlab GmbH and the respective employer as well as to provide the administrative functions due under it, we process profile content and employee data on the instructions of the respective employer as follows:

- import and saving profile content and employee data in the HRlab Software;
- provision of profile content and employee data to the employer, its person in charge or otherwise authorised persons in order to perform planning and administrative tasks.

4.5 Provision of analytical functions

In order to fulfil and execute the agreement on the use of the service between HRlab GmbH and the respective employer as well as to provide the analytical functions due under it, we process profile content and employee data on the instructions of the respective employer as follows:

- merge, prepare and visualise profile content and employee data;
- create overviews, statistics, graphs, structures and other values and indicators on the basis of the profile content and employee data;
- anonymise or aggregate profile content and employee data to establish comparative and average values for the individual user as well as across all users;

- evaluate profile content and employee data of individual users as well as across all users;
- comparison of the profile content and employee data with the pseudonymised or aggregated comparative and average values identified.

4.6 Forwarding to third-party providers

If the users request the involvement of third-party providers, we will transmit profile content and employee data to these third-party providers.

The data protection provisions of the third-party providers also apply in this respect.

4.7 Contact area

You can contact us by e-mail in the contact area of the service. When doing so, your e-mail address is forwarded to us. You can decide for yourself what additional data you provide us with when contacting us (such as the content of the message).

We process this data in order to answer your query.

4.8 Termination of the use relationship

In the event of the termination of the use relationship between HRlab GmbH and an employer, HRlab GmbH shall retain the respective user account and the respective assigned profile content and employee data in accordance with instructions for a further three months (hereinafter "retention period") unless otherwise requested by the employer. The profile content and employee data shall be blocked for the retention period for all other processing or use and deleted upon expiry of the retention period at HRlab GmbH. In so far as the employer concludes a new agreement on the use of the service in accordance with the terms of use within the retention period, the profile content and employee data shall be unblocked and are available to the user again within the scope of the service.

4.9 Cookies

When you visit our website or use the service, we place a so-called "cookie". A cookie is a file in which we store certain usage information and read it the next time our website is visited. Our cookie contains a number and letter sequence as identification feature (ID) for the accessing computer and saves the information on the use of the service stated under section 4.3 of this Privacy Policy.

We use cookies to enable the proper and user-friendlier provision of the service.

If this data has to be regarded as personal data, the data processing occurs on the basis of statutory regulations that permit the processing because it is necessary to provide the service or because HRlab GmbH has a legitimate interest in ensuring the functionalities of the service and offering a user interface tailored to the respective user.

You can prevent cookies from being saved by configuring your browser software accordingly; however, we would like to point out that in this case you may not be able to use the full functionality of this website.

4.10 Consent to receipt of advertising

If you consented to receiving advertising from us, we use the information you provided to send you advertising by electronic post (e-mail, SMS, MMS, instant message).

We verify your consent to the receipt of advertising by e-mail using the so-called double opt-in procedure. This means that we first request active confirmation of your consent to the receipt of advertising by e-mail to the e-mail address you provided when subscribing before we start to send it. We use the information on confirmation to document and if necessary prove your consent.

You can revoke your consent at any time with effect for the future by sending us an e-mail to dataprotection@hrlab.de. Revoking the consent does not affect the lawfulness of the processing performed on the basis of the consent.

4.11 Newsletter

You can subscribe to our newsletter or other information from us by e-mail on our website. For this purpose, we record your name and e-mail address and use this data to send you the newsletter or the respective information by e-mail you have subscribed to. Your consent is a prerequisite for participation in the sending of newsletters and other information.

We also verify your consent to receiving our newsletter or other information by e-mail by using the double opt-in procedure.

You can revoke your consent to the receipt of the newsletter or other information and the associated use of your personal data at any time with effect for the future by sending an e-mail to us at dataprotection@hrlab.de. Revoking the consent does not affect the lawfulness of the processing performed on the basis of the consent.

4.12 Google Maps

We use Google Maps, a map service of Google Inc. ("Google"), located in the USA, on our website. We use this exclusively for auto-complete of address information. This involves sending the IP address of the person making the entry to Google.

Please note that the USA are no safe third country according to the EU data protection. US-companies are obliged to deliver personal data to security authorities without individual remedies against such actions. Thus, it cannot be excluded that US authorities (e.g. intelligence agencies) process, analyze and save your data which are managed on US servers. We have not influence in this regard.

However, so-called IP anonymisation is activated on our website. As a result, the IP address transmitted is previously abbreviated by Google within member states of the European Union or in other contracting states of the Agreement on the European Economic Area.

Normally, the IP address transmitted is the IP address of an HR employee who enters employee data. Only if employees are able to enter their address data themselves is it possible that their IP address may also be transmitted. If you do not want this, you can dispense with the auto-complete function and enter your address without this function.

5. Other data disclosure

Apart from the other cases mentioned in this Privacy Policy, disclosure of your personal data without your express prior consent only occurs in the following cases:

- If it is necessary to clarify unlawful or abusive use of the service or for legal prosecution, personal data is forwarded to the criminal prosecution authorities and if applicable to injured third parties. However, this only occurs if specific indications of unlawful or abusive behaviour exist. Disclosure may also occur if this enables the enforcement of the terms of use or other agreements. Our legitimate interest in the data processing consists in ensuring the proper functioning of our website and the service as well as, if necessary, asserting, exercising or defending legal claims.
- Furthermore, we are legally obliged to provide information on request to particular public bodies. These are criminal prosecution authorities that prosecute administrative offences subject to fines and the fiscal authorities.

6. Your rights as data subject

You are entitled to receive information about the data stored about you at any time. Upon submission of the respective requirements, you may also be entitled to the following rights:

- the right to rectification of inaccurate personal data relating to you;
- the right to erasure of data relating to you;
- the right to block or restrict the processing of your data;
- the right to object to the processing of data relating to you and
- the right to data portability.

Should you desire information on the data relating to you saved by HRlab GmbH on its own responsibility, wish to enforce other rights or have questions on data protection, you can either contact us by post (HRlab GmbH, Wattstraße 11, D-13355 Berlin) or by e-mail at dataprotection@hrlab.de. Please contact your employer if you have any concerns regarding the contract data processing performed by us.

7. Right to lodge a complaint with a responsible supervisory authority

You are entitled to lodge a complaint at any time with a supervisory authority, in particular with a supervisory authority in the member state of your place of residence, your workplace or the location of the probable breach if you consider that the processing of personal data relating to you breaches the data protection laws.

The following data protection authority is responsible for HRlab GmbH:

The Berlin Commissioner for Data Protection and Freedom of Information Friedrichstr. 219

Visitors' entrance: Puttkamerstr. 16 – 18 (5th floor)

D-10969 Berlin

Telephone: +49 (0)30/ 13889 0

Fax: +49 (0)30/ 215 5050

E-mail: mailbox@datenschutz-berlin.de

8. Amendments to this Privacy Policy

We always keep this Privacy Policy up to date. Therefore, we reserve the right to amend it from time to time and to update amendments during the collection, processing or use of your data. The current version of the Privacy Policy can always be retrieved online at our homepage within the service.