

Information Sheet on the Processing of Employee Data

Compliance with data protection regulations is a high priority for our company. This information sheet will provide you with information regarding the processing of your personal data by Erich NETZSCH GmbH & Co. Holding KG and its worldwide subsidiaries and your rights under European data protection law. In addition, we hereby support fair and transparent processing of your personal data in accordance with Articles 13 and 14 (Obligation to Inform) of the European General Data Protection Regulation (GDPR).

Who is responsible for the data processing and who is the data protection officer/official?

Responsible for the data processing is:

Erich NETZSCH GmbH & Co. Holding KG
or the respective subsidiary
Gebrüder-Netzsch-Straße 19
95100 Selb
Phone: +49 (0) 9287 75-0
Email: info@netzsch.com

Data Protection Official for Erich NETZSCH GmbH & Co. Holding KG:

Mr. Reinhold Rehfeuter
Phone: +49 9287 75-316
Email: datenschutz@netzsch.com

Data Protection Officer for the relevant subsidiaries in the USA:

Mr. Tom Maloney
Phone: +1 610 561 6251
Email: tom.maloney@netzsch.com

What personal data do we have and where do they come from?

In the context of the employment relationship, we process the following personal data:

- master data such as first name, last name, name affixes, date, place and country of birth, and, if applicable, name/maiden name and nationality
- where applicable, work permit/residence permit and personnel number
- contact information such as home address and (mobile) telephone number, email address if disclosed
- emergency contact information if disclosed
- log data associated with the use of the IT systems
- access data and timesheet data
- vacation time
- qualifications, professional experience and professional development as well as advanced training
- social data such as income tax class, exemptions, marital status (birth dates and first and last name of family members, if applicable)
- bank account details
- social security and pension insurance number

- special categories of personal data:
 - o religion
 - o health data (including maternity leave, parental leave and disability leave)
 - o data from an operational integration management (OIM) process
 - o severe disability / equal opportunity
 - o health management data
- salary information as well as additional benefits and contributions or employee retirement plan/pension
- tax identification number
- garnishments
- accounting statement from Travel Management and Cafeteria Services
- company car allocation (including list price, license plate number, fines and administrative offenses)
- identity verification data
- image and sound data
- affiliation with department, production site, cost center, employee group
- master data for user and authorization administration.

Your personal data are generally collected directly from you as part of the hiring process or during your employment. As an exception, in certain circumstances, your personal data may also be collected from other sources under national statutory regulations. These include, in particular, event-driven searches of tax-relevant information by the responsible tax office as well as inquiries about disability leave by the respective health insurance provider. In addition, we may have received data from third parties (e.g. job placement, temporary employment, integration through occupational organizations).

In addition, we process personal data that we have legitimately acquired from publicly available sources (e.g. professional networks).

Processing work-related performance data: Your work-related performance data is used to calculate performance-based compensation components / bonuses.

For what purposes and on what legal basis are data processed?

We process your personal data in compliance with the provisions of the EU General Data Protection Regulation (GDPR), the German Federal Data Protection Act (GFDP) and all other relevant national laws (e.g. BetrVG (Works Constitution Act), ArbZG (Working Hours Act), etc.).

First and foremost, data processing serves to justify, carry out and terminate the employment relationship. The primary legal basis for this is Article 88 (Data Processing in the Employment Relationship) Paragraph 1 of the GDPR in conjunction with Section 26, Paragraph 1 of the GFDP. In addition, collective agreements (group and company agreements) according to Article 88 Paragraph 1 GDPR in conjunction with Section 26 Paragraph 4 of the GFDP and, where applicable, your separate consent in accordance with Article 88 Paragraph 1 of the GDPR in conjunction with Section 26 Paragraph 2 of the GFDP (e.g. when publishing image material, BEM) are used as a data protection regulation.

We also process your data in order to fulfill our national legal obligations as an employer, especially in the area of tax and social security law, by virtue of the particular sector-specific legal bases.

To the extent necessary, we also process your data on the basis of Article 6 (Lawfulness of Processing), Paragraph 1f) of the GDPR, in order to protect legitimate interests of ours or of third parties (e.g. authorities). This applies, in particular, within the Group for purposes of corporate management, internal communication and other administrative purposes. In addition, for fraud prevention; measures to ensure and improve the security of IT systems; measures to protect employees and customers, as well as company values; measures to protect our company against unlawful acts; publication of official contact data on the intranet, in the internal directory and on the company website.

Data processing for statistical purposes (including work-related accidents, number of training days, number of days of incapacity for work).

Insofar as special categories of personal data are processed pursuant to Article 9 (Processing Special Categories of Personal Data) Paragraph 1 of the GDPR, within the framework of the employment relationship, this serves the exercise of national rights or the fulfillment of national legal obligations under labor law, social security law and social protection (e.g. disclosure of health data to the health insurance company, registration of severe disability due to additional leave and calculation of the compensation levy for non-employment of the severely disabled). This is done on the basis of Article 9 Paragraph 2b) of the GDPR in conjunction with § 26 Paragraph 3 of the GFDP. In addition, pursuant to Article 9 Paragraph 2h) of the GDPR in conjunction with § 22 Paragraph 1b) of the GFDP, the processing of health data may be necessary to determine your ability to work.

Further, in accordance with Article 9 Paragraph 2a) of the General Data Protection Regulation together with Section 26, Paragraph 2 of the GFDP, the processing of special categories of personal data may be subject to consent (e.g. occupational health management, occupational integration management).

You will be informed in advance if we wish to process your personal data for a purpose not mentioned above.

How long will your data be stored?

Your personal information is deleted as soon as it is no longer required for the above purposes. After termination of the employment relationship, those personal data that we are legally bound to retain shall continue to be stored. This occurs routinely due to legal record-keeping and retention requirements, which are regulated in the commercial code, the tax code and elsewhere. These require storage periods of up to ten years. In addition, personal data may be retained for the period during which claims can be asserted against us (statutory limitation period of three or up to thirty years).

Who receives your data?

Within our company, only those persons and entities (e.g. department, works council, disabled employees' representative) receive your personal data, which they each require for the fulfillment of our contractual and/or legal obligations.

Within our group of companies, your data will be transmitted to certain companies, if they perform data processing tasks centrally for the companies in the group (e.g. secure and complete disposal of files upon expiration of the legal retention period through unrecoverable destruction).

In addition, we employ different service providers in some cases to fulfill our contractual and legal obligations. Extensive contractual provisions for data protection have been made with these service providers as well. For SAP HR support:

- NEXUS-Switspot, Heiner-Fleischmann-Straße 9, 74172 Neckarsulm
- Applied International Informatics GmbH, Torstraße 49, 10119 Berlin
- Rödl IT Operation GmbH, Äußere Sulzbacher Straße 100, 90491 Nuremberg.

In addition, we may submit your personal information to other recipients outside the company, provided this is necessary for the fulfillment of contractual and/or legal obligations as an employer. Specifically, these are:

- occupational medical care and examinations (contracted company doctor)
- authorities (e.g. pension insurance institutes, professional pension funds, social insurance carriers, tax authorities, courts)
- financial service providers (e.g. in connection with time accounts, deferred compensation)
- creditors in connection with assignments/garnishments
- insolvency insurance for semi-retirement
- group accident insurance
- employee's bank (SEPA payment medium)
- receiving offices of the health insurance companies
- entities, to safeguard company pension entitlements
- entities, to manage and distribute benefits from employee savings plans
- entities, to ensure preparation and auditing of financial statements (auditors and other consultants)
- training (chambers of industry and craft trades)
- safety training by means of electronic instruction tools
- evaluation of company surveys
- tax consultants (e.g. for tax clarifications in the context of personnel-related actions such as transfers).

What rights can you assert as the data subject?

Articles 15 – 22 (Rights of the Data Subject) of the GDPR grant you the following rights:

- the right to information regarding your personal data that we store (GDPR Article 15)
- the right to have incorrect data corrected (GDPR Article 16)
- the right to have the data deleted, if there is no legal basis for continued storage (GDPR Article 17)
- the right to limit the processing of data to specific purposes (GDPR Article 18)
- the right to data portability (GDPR Article 20)
- the right to object to the processing of your data (GDPR Article 21).

For the USA and our branches and subsidiaries there, the data protection officer in the USA is:

Tom Maloney
Phone +1 610 561 6251
Email: tom.maloney@netsch.com

Information for European Companies regarding the USA

The US Department of Commerce manages the official [List](#) of US companies that have obtained Privacy Shield certification. Companies and other players from the European Union wishing to transfer personal data to the US on the basis of the Privacy Shield must ensure that the US company to which the data is to be transmitted is actually registered in the above-mentioned US Department of Commerce list. Furthermore, the data exporting (European) company must also check the company's entry on the list, as to whether the certification includes the category of data to be transmitted (Employee Data = "HR" or other data, such as (Personal) Customer Data = "Non HR").

Information for Data Subjects regarding the USA

The EU-US Privacy Shield grants you certain rights if your personal data is transferred from the European Union (e.g. from Germany) to Privacy Shield certified US companies. The European Commission has published a Privacy Shield [guide](#), which details these rights. You can check the official US Department of Commerce list at <https://www.privacyshield.gov/list> to see whether a US-based company is certified under the Privacy Shield, thus entitling you to the rights afforded by the Privacy Shield vis-à-vis that company. Should you determine that a transfer of your information is supported by the Privacy Shield, but that the company receiving your information in the United States is not on the list, you can inform us, the BayLDA (Bavarian State Office for Data Protection Supervision), at any time. You will find directions for filing a complaint below.

What are your rights under the EU-US Privacy Shield in relation to the US?

If personal information about you has been transferred to a certified US company based on the Privacy Shield, you are entitled to the following rights vis-à-vis that company with respect your data:

- the right to information
- if applicable, the right to object to the processing of your data
- the right to disclosure
- the right to correct incorrect data
- if applicable, the right to have data deleted
- the right to utilize complaint and redress procedures
- the right to file an application to refer the matter to the so-called ombudsperson.

If you have questions regarding your personal information that has been submitted to a certified US company based on the Privacy Shield, or if you wish to exercise any of your rights listed above, you should first contact the US company directly. For this purpose, a contact point is provided for each company on the list of certified US companies (<https://www.privacyshield.gov/list>) under the link "Questions or Complaints." The US company is required to respond to your request within 45 days.

Right of Objection

If we process your data in order to safeguard legitimate interests, you can object to this processing at any time for reasons stemming from your particular situation. We will then no longer process your personal data in the future, unless we can prove that there are compelling legitimate reasons for the processing that outweigh your interests, rights and freedoms, or that the processing serves the assertion, exercise or defense of legal claims. The objection can be made informally by email or by post to the aforementioned responsible entity, with the subject "Objection".

Where can you file a complaint?

You may submit a complaint at any time to the above-mentioned Data Protection Officer/Official, who is bound to protect the confidentiality of your request and must respond within 45 days. If this is not successful, you can contact an arbitration board in the US. The arbitration board responsible for our US subsidiaries can be found in the information pertaining to the US. In Germany and for Erich NETZSCH GmbH & Co. Holding KG it is:

Bayerisches Landesamt für Datenschutzaufsicht (BayLDA)

Promenade 18

91522 Ansbach

Phone: +49 981 180093-0 Fax +49 981 180093-800 Email: poststelle@lda.bayern.de

The complaint can be made informally by email or by post to the above-mentioned Data Protection Office, with the subject "Complaint".

Are your data transmitted to third countries or international organizations?

We do not transfer any personal data to third countries, i.e. to places outside the European Economic Area (so-called third countries) or to any international organizations. This does not apply to our worldwide subsidiaries.

Are you required to provide your data?

In the course of your employment, you must provide the personal data that are required to establish, conduct and terminate the employment relationship and to fulfill the related contractual obligations or that we are required to collect by law. Without these data, we will not be able to implement the employment contract with you.

In principle, this obligation to provide information can also be enforced in court. In certain circumstances, violations may even be subject to penalties or fines. False information may also result in disciplinary action.

To what extent is automated individual decision-making or profiling used?

We do not use purely automated processing to reach a decision.