

## Manuchar Privacy Statement: Employees & Applicants

**BU/Supporting Service**  
**Date**

HR/Legal  
28/08/2018

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## **1. Manuchar Privacy Statement: Employees & Applicants**

In this privacy statement, we explain who we are, when and why we need your personal information, what information we collect, how and for how long we process it, to whom we can pass it on, what your rights are and how you can exercise them.

This privacy statement is intended for you when:

1. you apply to Manuchar for employment.
2. you work for Manuchar.

### **1.1. What are personal data?**

The European General Data Protection Regulation of 27 April 2016 (**GDPR**) defines personal data as follows:

*all information about an identified or identifiable natural person where an “identifiable natural person” is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.*

If this Privacy Policy refers to personal data, reference is made to this definition from the GDPR.

### **1.2. Who are we?**

Manuchar NV, with registered office at Rietschoorvelden 20, 2170 Merksem, is responsible for processing your personal data (Responsible for the processing within the meaning of the GDPR).

### **1.3. When do we collect your personal data?**

We collect your data as soon as you enter or leave your data on our website or on one of our IT applications/tools, or when you register in another way (e.g. job fair). We may also collect your information when you have made it public on public/social media (e.g. LinkedIn) that may indicate that you are interested in employment.

We also collect your data in the context of the preparation for the conclusion of an employment contract as well as in the course of the execution of the employment contract.

### **1.4. Why do we need your personal data?**

We collect your personal data for the HR-related purposes mentioned below and will not use this data for other purposes without informing you in advance and, if necessary, asking your consent.

More specifically, we will use your personal data, where appropriate:

1. to include you in our database of applicants that we search to select suitable candidates for the positions for which we recruit (permanent or temporary employee).

If, in the future, in our selection activities, we use only automated processing-based selections, including profiling, without any intervention by a member of our HR team, we will inform you, upon request, of their existence, underlying logic, importance and expected impact on you.

2. to be able to determine your profile and assess your suitability as a candidate for the positions for which we recruit. We may use, among other things, the results of tests we take from you (online personality tests, language tests, assessments, etc.) and (online) reference checks that

we only do with your explicit consent with the persons/companies you have provided. We may also ask you to provide more information about yourself on a voluntary basis in order to increase your chances of finding a job.

3. to send you interesting vacancies and job offers by telephone, e-mail, text message or other media.
4. to provide you with information about Manuchar's services and other activities (e.g. job fairs or other events that might interest you) and to better attune them to your wishes and competences.
5. to promote your personal development and employability by offering training, guidance, workshops, etc., at one of Manuchar's own companies or at a third party.
6. to establish and maintain an employer relationship with you and carry out all related administration, such as personnel management, payroll processing, well-being at work, occupational medicine (medical examinations).
7. to apply for subsidies (social security reductions, exemption from withholding tax on wages, premiums, etc.).
8. to comply with legal obligations, such as correct identification of persons, application of labour, tax and social security legislation, combating fraud, illegal employment and terrorism, application of national and international sanctions legislation.
9. to meet certain quality objectives, such as obtaining and retaining certain certificates or quality labels.
10. to meet management objectives, including providing management information, evaluations, carrying out internal controls to prevent fraud and carrying out (internal/external) audits and audits.
11. to ensure operational safety. To this end, we may, among other things, verify your identity when you enter our office. We may also monitor the activities in our systems to prevent misuse of information from our databases and to protect our interests and those of all persons listed in our databases.
12. to allow you to exercise your rights and to be able to demonstrate afterwards that we have complied with these rights.

We use and process your personal data, depending on the type of processing, on the basis of:

1. **your consent:** when applying online, you give us your consent to process your personal data in the context of selection activities, to take references from the persons/companies you have provided or to receive commercial offers.
2. **our (pre)contractual relationship:** when we enter into an employment contract with you, we need a number of details in order to be able to draw up this contract and then correctly execute it. We therefore always need your contact details in order to fulfil our contractual obligations.
3. **Manuchar's legal obligations:** an employment relationship is subject to many legal obligations. We must have all the information necessary to fulfil those obligations in a timely manner and for the entire duration of those obligations, or to be able to demonstrate at

subsequent verification that we have fulfilled our obligations. For example, we must report your employment to the government on time (Dimona declaration), calculate your wages correctly and pay them into your bank account number on time, as well as report your work performance to the various social security and tax authorities.

**4. the legitimate interest of Manuchar or of a third party:** if necessary, we will use your data to accommodate the legitimate interests of Manuchar or of third parties. This can be done, for example, for access checks or internal checks and audits to ensure the safety and continuity of our systems and companies. This legitimate interest is also present when we have to keep your records in the context of instituting, exercising or substantiating a possible legal claim.

#### **1.5. Which personal data do we process?**

We process the personal data that are necessary for a good service. Part of this information (e.g. identity, wages and other employment conditions) is mandatory. In addition, we may have additional information at our disposal (e.g. references, personal preferences for certain positions, complete CV, photos). If you choose to provide us with your information, we may use this information in the context of your employment.

You are responsible for the accuracy and relevance of the information you provide to us. You are advised to notify us of any changes to your personal data as soon as possible via [be.hrm@manuchar.com](mailto:be.hrm@manuchar.com).

This involves the following personal data:

1. name, address, e-mail address, telephone number and other contact details;
2. place and date of birth, sex, marital status;
3. nationality and, if necessary, identity document, work permit and residence document (verification required on the basis of the legislation on the employment of foreign workers);
4. National Social Security Number (INSZ/NISS) (as a unique identification number and in the context of the compulsory declarations to, and contacts with, the various public authorities);
5. curriculum vitae (CV), letter of motivation, information about education/diplomas and work experience, data made public (including social media), information you provide to us during an interview;
6. photographs and video introduction (only on a voluntary basis);
7. information, including results, about training and education and/or tests/assessments you have attended or conducted;
8. other information that may be relevant to the assessment of your suitability as a candidate, such as certificates and references (only with your permission);
9. time registration, information about your availability and holiday periods;
10. evaluations of your knowledge, skills, attitude, etc.;
11. expenses;

12. other information necessary for a correct administrative processing (personnel management, wage processing and payment, absence registration, etc.).

Which special personal data we may collect from you:

1. criminal record extract: we only ask for this if it is legally required.
2. health data: we do not process health data except in the context of the legislation on well-being at work (certificates of medical examination) and the declaration and management of occupational accidents. If you voluntarily provide us with personal data about your state of health, we will only register these data at your express request and only if they may have an impact on your functioning and the tasks you are to perform.

### **1.6. With whom do we share your personal data?**

Only if necessary for the execution of the work, the achievement of the objectives mentioned under point 1.3, the fulfilment of a legal obligation (of Manuchar or of a third party) or the promotion of a legitimate interest (of Manuchar or of a third party) can Manuchar transfer certain of your personal data:

1. to Manuchar NV or other companies within the Manuchar group in Belgium, for example:
  - management information;
  - internal audits;
  - internal services;
  - screening of persons under the European legislation on financial sanctions (financing of terrorism);
2. to Manuchar's suppliers, for inter alia:
  - the provision of services or the performance of tasks and orders in the name and on behalf of Manuchar (e.g. IT providers, cloud providers, social secretariat, investigation offices, access security, submission of grant files);
  - the provision of services to Manuchar in the context of employment (e.g. external medical prevention services, suppliers of meal vouchers and eco-vouchers, insurance companies);
3. to our auditors, audit and certification offices, for amongst others:
  - audit of our annual accounts;
  - obtaining and retaining certain certificates;
  - audit of grant files (e.g. European Social Fund);
4. to various government bodies, including, among others:
  - federal and regional inspectorates and accreditation bodies;
  - social security bodies;
  - tax authorities;
5. to all other third parties where we are required to do so by law, court order or judgment. Manuchar does not sell, rent or make your personal information available commercially to third parties.

In developing Manuchar's business, Manuchar may sell activities or assets. In the event of a

sale, merger, reorganisation, dissolution or similar event, your personal data and other information may form part of the transferred assets.

When our suppliers process your personal data on Manuchar's behalf, they act as processors as defined in the GDPR. We conclude a processing agreement with these processors and do everything in our power to ensure that they adequately protect your personal data.

In certain exceptional cases, your personal data may be transferred outside Belgium and outside the European Union. Manuchar takes the necessary contractual and technical security measures to ensure that all personal data transferred are adequately protected against loss or unlawful processing. For further questions about this, please contact the legal department.

### **1.7. How long do we store your personal data?**

We guarantee that we will not retain your data longer than required by law or the internal regulations applicable within our companies. The standard retention periods depend on the purposes for which we process your data.

#### Applicant:

We keep all data relating to your application (CV, tests, notes of interviews, etc.) for 2 years.

#### Employee:

We store all your employment data (identification, performances, wage data, multifunctional declaration to the National Social Security Office (NSSO), tax declaration, etc.) for a period of 10 years after the end of your employment contract. We do this in order to meet all kinds of social, fiscal and other legal obligations and limitation periods.

### **1.8. Security measures?**

Manuchar does everything in its power to protect your personal data optimally against unlawful use. We do this by means of physical, administrative and technological measures.

For example: only authorised persons can access our systems and access is limited to the systems they need for professional reasons. These individuals must know and apply our internal privacy and data protection policies correctly. To the extent that data is passed on to third parties, Manuchar agrees with these third parties that they also provide optimum protection of personal data.

### **1.9. What are your rights?**

Manuchar processes your personal data in accordance with the provisions of this privacy statement. As a party involved, you have a number of rights that you can exercise at any time.

You can exercise the following rights:

- **right to refuse or revoke your consent**  
To the extent that the processing is based on prior consent, you have the right to revoke that consent. The withdrawal of your consent does not affect the lawfulness of the processing of those data before the withdrawal or the lawfulness of the processing of (some of) the same data for other reasons as listed in point 1.3 of this privacy statement.
- **right to object**  
You can object to the processing of your personal data. This can only be done against a processing that takes place on the basis of the legitimate interests of Manuchar or a third party (see above in point 1.3). In exercising this right, you will have to indicate

exactly which processing you object to and for which specific reasons. This is necessary to be able to weigh up the interests correctly.

- **right of inspection**

You can ask whether or not your personal data will be processed.

If this is the case, you may access those personal data and request the following information: the processing purposes, the categories of personal data we hold about you, the categories of recipients (third countries or international organisations), the retention periods or the criteria to determine them, other sources of origin of your data. In providing this information, we must always consider the rights and freedoms of other persons.

- **right to rectification (correction and supplementation)**

You may ask to correct or supplement any personal data that you consider to be incorrect or incomplete. When exercising this right, you will have to indicate exactly which data you want to correct or supplement.

Incorrect objective personal data (e.g. incorrect spelling of your name, wrong address) will always be corrected as requested. Subjective personal data that you consider incorrect (e.g. negative evaluation, unfavourable test results) will only be adjusted if we agree with you. If not, we will not modify these personal data, but we will note any additional statement you may have about this.

- **right to transferability**

You have the right to have the personal data that you have provided to Manuchar yourself transferred by Manuchar in electronic form to yourself (via your e-mail address that you provide) or to any other person designated by you (via their e-mail address that you provide).

- **right to erasure (right to be forgotten)**

Depending on the situation you find yourself in at the time of exercising this right, it has different consequences:

- You have **never** worked for Manuchar:  
The data in your file with Manuchar will be deleted.
- You have worked for Manuchar in the **past**:  
The data in your employment file cannot be deleted for legal reasons and will be kept by Manuchar for 10 years after the end of your employment. Any other data that we are not obliged to keep will be deleted.

- **right to restriction of processing**

You have the right to restrict the processing of your personal data when:

- You contest the accuracy of your personal data (for the duration of Manuchar's check).
- the processing of your personal data by Manuchar would be unlawful but you still do not wish to invoke your right to delete data.
- we no longer need your personal data for the purposes set out in this privacy statement (point 1.3), but you still need them for the purpose of instituting, exercising or substantiating a legal claim.
- you have objected to the processing of certain of your personal data (for as long as the interests are being weighed up).

In principle, you can exercise your rights free of charge. You can do this by sending an e-mail to HR. At the latest within a month of receiving your e-mail, we will inform you in writing how we have dealt with your request. Depending on the difficulty of your request or the number of requests we receive from other persons, this period can be extended by two months. In this case, we will inform you within one month of receiving your e-mail about this extension.

In some cases (e.g. legal obligations, rights of other persons or limitation periods) you will not or not fully be able to exercise your rights. You will then receive a message about this with the reasons why we cannot or cannot fully comply with your request.

#### **1.10. Cookies**

On our domain Manuchar.be, we use cookies and web statistics. We do this to see how visitors use our website. This information helps us to improve the site. A cookie is a file that is stored on your computer. These cookies can be recognised when you visit our website again. You can read more about this in our Cookie Policy on our website.

#### **1.11. Questions, remarks, complaints and data leaks**

If you have any questions, comments or complaints about Manuchar's protection of your personal data or about this privacy statement, please contact the HR department.

You also have the right to complain to the Data Protection Authority (DPA) at the following address: Rue de la Presse 35, 1000 Brussels.

If you are aware of or suspect a data breach, please report this to us immediately via [it@support.com](mailto:it@support.com).

#### **1.12. Changes**

Manuchar may make improvements, additions or changes to this privacy statement for various reasons. The most current version can be viewed at any time on the Manuchar website. This version was created in August 2018.