

## PRIVACY NOTICE – JOB APPLICANTS

As part of any selection and recruitment process, CERHA HEMPEL Gerginov, law firm (hereinafter "CERHA HEMPEL" or "we") processes personal data as data controller. The purpose of this privacy notice is to inform you (hereinafter "Job Applicant") about how CERHA HEMPEL collects and processes your personal data as an applicant for a position with us – whether under employment or civil contract. If you have any questions related to the processing of your data, please contact us using the following details:

CERHA HEMPEL Gerginov, law firm

Bulgaria, 1000 Sofia, 25 Peter Parchevich Street

Email: [sofiaGDPR@cerhahempel.com](mailto:sofiaGDPR@cerhahempel.com)

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### What personal data we process

In the course of selection and recruitment procedures we may process different categories of data concerning you, such as:

- Identification data: including names, date of birth, gender, personal identification number, signature, photo image.
- Contact details: including address, email address, phone number, fax number.
- Professional information: including information on your personal development, positions occupied, membership in professional organizations, additional qualifications and specializations, included in various documents, including but not limited to CVs, diplomas and other certificates presented by you upon your job application, data included in recommendations from previous employers or contractors, career planning data.
- Social information: nationality, data contained in driver's license or residence evidencing documents.
- Cultural information: hobbies and interests.
- Sensitive information: if required by law for a certain position and upon compliance with the respective requirements, we may also process sensitive data concerning you, such as health status details, criminal background details.

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- Other personal data you have provided to us.

We collect personal data concerning you in the process of your job application and within the selection and recruitment procedure. We may receive such data in various ways, including the information you would normally include in a cover letter, CV or a job application form, or information you provide us with during a recruitment interview. Additional information may be collected directly from you before execution of employment or civil contract. In some cases, we may collect data concerning you from third parties, such as employment agencies or other CERHA HEMPEL law offices, if you sent your application to another office from the CERHA HEMPEL network, as well as from public sources, such as Bulgarian bar registers.

If you do not provide us with your personal data requested by us, we may not be able to assess your eligibility to occupy the position for which you apply, respectively we would not be able to conclude a contract with you. We also may need certain data in order to ensure that we comply with specific legal requirements. Whilst you are under no obligation to provide us with your data, we may not be able to process, or to assess your application if you do not provide the data.

## **For what purposes and on what legal basis we process personal data**

Below you will find information about the purposes and the legal bases on which we may process your personal data.

We process your personal data only if such processing is allowed by the applicable legislation, using one or more of the following grounds:

<b>Purpose of processing</b>	<b>Legal basis for processing</b>
<ul style="list-style-type: none"><li>• To perform selection and recruitment procedures, to ensure human resources management and administration</li></ul>	<ul style="list-style-type: none"><li>• Legitimate interests: to select Job Applicants who would suit best our requirements and values, to manage our human resources effectively and efficiently, to make adequate decisions about remunerations and additional benefits, as well as to assess training needs</li></ul>
<ul style="list-style-type: none"><li>• To ensure legal compliance and verify that our professional relationships meet the applicable statutory requirements and business standards</li></ul>	<ul style="list-style-type: none"><li>• Compliance with legal obligations, including in relation to legal profession requirements or employment law requirements</li></ul>
<ul style="list-style-type: none"><li>• Establishment, exercise or defence of legal claims</li></ul>	<ul style="list-style-type: none"><li>• Legitimate interests: to execute our rights and interests protected by law or to defend our legal claims</li></ul>

It is also possible to process your personal data based on your consent.

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Sensitive personal data require higher level of protection. Such data may be, for example, data related to your physical and mental health, as well as information related to your criminal background. We may process sensitive personal data in the following cases:

- with your explicit consent – in limited cases and if permitted by law;
- for compliance with our legal obligations in the field of employment and social security and social protection law.

We may process information related to your criminal background only if such processing is permitted by law. Such cases involve processing needed for the purpose of compliance with our legal obligations in this regard, for example, if required by law for the position for which you apply.

## **Who we share your data with**

Your data will be disclosed by us only if there is a valid legal basis for such disclosure. In any case, we only disclose your data to the extent necessary for each specific purpose, or as required under the applicable law, or, in the case of consent, as specified by you.

Where necessary, your data may be disclosed to the following categories of recipients:

- The law firm from our CERHA HEMPEL network based in Vienna, Austria, if occupying the respective position for which you apply requires coordination in accordance with our corporate policies.
- Service providers we use, including accountants and IT service providers.
- Competent authorities if required by law.
- Courts or arbitration bodies in relation to litigation procedures.

We require any recipient to respect the confidentiality and security of your personal data and to comply with all requirements applicable in this respect.

## **How long we will keep your personal data**

We are aware of the importance of the storage limitation principle and take all reasonable steps to ensure that we process personal data only for the period necessary for the purposes for which data are collected.

We will retain your personal data for no longer than six months after closing of the selection procedure for the position which you applied for but were not selected, unless you provide us with your consent for retaining the information for a longer period, for example, for considering your application in future recruitment procedures. After expiration of this period, we will delete or destroy the documents containing personal data, unless otherwise provided by law.

## **Your rights**

You have the following rights under the General Data Protection Regulation:

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- **Right of access:** you have the right to receive confirmation from us as to whether personal data concerning you are being processed and if so, access to such data and information related to processing.
- **Right to rectification:** if we process personal data relating to you that are incorrect or incomplete, you have the right to request from us to rectify or complete them.
- **Right to erasure:** you have the right to request erasure of your personal data. Where applicable, we will erase the data as a result of such request – for example, if data have been processed unlawfully. However, please note that there may be reasons that may prevent the immediate erasure of your data, such as pending court proceedings.
- **Right to restriction of processing:** you have a right to ask us to restrict processing of your personal data under certain circumstances – if you contest the accuracy of personal data, for a period that allows us to verify the accuracy of the data; if the processing is unlawful, but you do not want your personal data to be erased; if we no longer need the personal data for the purposes of processing, but you require them for the establishment, exercise or defence of legal claims; or if you have objected to the processing we perform based on our legitimate interests pending the verification which interests have priority.
- **Withdrawal of consent:** where we process your personal data based on your consent, you have the right to withdraw your consent at any time. However, this would not affect the lawfulness of processing of data conducted before the consent withdrawal.
- **Right to objection:** you have the right to object to processing of your data if we process them based on legitimate interests.
- **Right to data portability:** you have a right to obtain the personal data relating to you, which you have provided to us, in a structured, commonly used and machine-readable format. If you ask us and where technically feasible, we may transmit those data directly to another controller specified by you. You can exercise your right of portability where the processing is based on your consent or on a contract and is carried out by automated means.
- **Right of complaint:** you have a right to lodge a complaint with a supervisory authority if you consider that processing of your personal data breaches the provisions of the applicable law. The competent supervisory authority for Bulgaria is the Commission for Personal Data Protection, with address at: 2 Prof. Tsvetan Lazarov Blvd., Sofia 1592, and email: [kzld@cpdp.bg](mailto:kzld@cpdp.bg).

## How to exercise your rights

You may exercise any of your rights above, except the last one, by sending a request to us:

- by electronic means using the following e-mail address: [sofiaGDPR@cerhahempel.com](mailto:sofiaGDPR@cerhahempel.com); or
- by mail to our registered address: Bulgaria, 1000 Sofia, 25 Peter Parchevich Street.

We will provide you with information on actions taken on your request within one month as of its receipt. If necessary, this period may be extended by a further two months, taking into account the

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complexity and number of the requests. We may request provision of additional information necessary to verify your identity or further clarify your request.

This privacy notice was last updated in January 2020.