

Data Protection Information on the Processing of Applicant and Employee Data in the Casinos Austria AG & Österreichische Lotterien GmbH Group

This document provides you with information on the processing of your personal data in conjunction with your application process and/or your employment relationship with the Casinos Austria AG & Österreichische Lotterien GmbH Group¹ (hereinafter referred to as "**the Group**" or "**we**") and your corresponding rights under data protection rules.

Who is responsible for data processing in the Group and who is the Data Protection Officer?

The Controller responsible for data processing is your employer.

Your notice of employment ["*Dienstzettel*"] and/or your employment agreement that were forwarded to you personally specify which of the following companies is your employer.

Within our Group, the following companies, acting as employers, are deemed the 'Controller' with respect to the processing of employee data within the meaning of the GDPR:

- Casinos Austria Aktiengesellschaft
(hereinafter referred to as "**Casag**") FN 99639d
- Österreichische Lotterien Gesellschaft m.b.H.
(hereinafter referred to as "**Österreichische Lotterien**") FN 54472g
- Glücks- und Unterhaltungsspiel Betriebsges.m.b.H.
(hereinafter referred to as "**WINWIN**") FN 241637z
- Casinos Austria International Holding GmbH
(hereinafter referred to as "**CAIH**") FN 37681p
- Casinos Austria Management GmbH
(hereinafter referred to as "**CAMG**") FN 38657 z
- Österreichische Sportwetten Gesellschaft m.b.H.
(hereinafter referred to as "**tipp3**") FN 196645i

¹ Casinos Austria AG, Österreichische Lotterien GmbH, Glücks- und Unterhaltungsspiel Betriebsges.m.b.H., Österreichischen Sportwetten GmbH, Casinos Austria International Holding GmbH, Cuisino Ges.m.b.H., CAST Casinos Austria Sicherheitstechnologie GmbH, Österreichische Klassenlotterie Vertriebsgesellschaft m.b.H. und Congress Casino Baden Betriebsges.m.b.H.

- Cuisino Ges.m.b.H.
(hereinafter referred to as "**Cuisino**") FN 54015i
- CAST Casinos Austria Sicherheitstechnologie GmbH
(hereinafter referred to as "**CAST**") FN 94404 f
- Österreichische Klassenlotterie Vertriebsgesellschaft m.b.H.
(hereinafter referred to as "**KLVG**") FN 468412 t

All of the companies listed above have their headquarters at **Rennweg 44-1038 Vienna.**

- Congress Casino Baden Betriebsges.m.b.H.
(hereinafter referred to as "**CCB GmbH**") FN 67046y
Headquarters at **Kaiser Franz Ring 1A-2500 Baden**

You can contact our **Data Protection Officer** at our office address – Rennweg 44, 1038 Vienna, Austria – as well as by phone on [01 53440 22129](tel:015344022129) or by e-mail at datenschutz@cal.at. The Data Protection Officer's contact details may also be found on the websites of the individual Group companies by clicking on the "Data Protection" link or on our intranet by clicking on the link "Game Rules/Data Protection" (*Spielregeln/Datenschutz*).

Which categories of data do we use as an employer and where do we obtain this data?

The categories of personal data we process may, in particular, include the following data:

- **Core personnel data** (e.g. first name, surname, additions to names, date of birth, citizenship, personnel number assigned to you by us),
- **Contact details** (e.g. home address, mobile and/or landline number, e-mail address),
- **Image data** (photo) and, in individual cases, a **scan of your fingerprint**,
- Data on your **marital status** and if applicable your **spouse, partner, children and legal guardian**,
- Data on your **professional qualifications, school-level education** and professional training and;
- **Protocol data** stemming from your use of our IT systems and other **data relating to your employment relationship with us** (e.g. photos, working time records, periods of annual leave, periods of incapacity, character references, bank account details, social security number and salary data). These may also include special

categories of personal data such as **health data** (e.g. **diagnosed level of disability**).

- In addition, we process **work-related performance data** (performance grade, bonus level).

The group of people who are affected by data processing are employees, former employees of the Casinos Austria AG & Österreichische Lotterien GmbH Group and persons applying for employment (and/or their legal guardians) with companies of the Group.

As a rule, your personal data will be obtained directly from you in the course of your hiring process or during your employment with the Group.

In some circumstances, we are obliged by law to obtain your personal data from other sources. In specific circumstances, this includes in particular enquiries regarding tax information from your tax office and information on period of disability from your health insurance provider.

We may have also received data from third parties, e.g. recruitment agencies.

In addition, it may be the case that we process personal data that we have obtained permissibly from publicly accessible sources (e.g. professional networks such as Xing or LinkedIn).

In addition, it is possible that we will process personal data based on reports made through our 'whistleblowing system', which may be accessed at <https://www.bkms-system.net/cal>. As a corporate group, we have an overriding legitimate interest in being informed about and uncovering irregularities reported through that system.

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

We process your personal data in connection with your employment relationship, paying special attention to complying with the provisions of the EU General Data Protection Regulation (GDPR), the Austrian Data Protection Act (DSG) and all other relevant employment-related provisions (e.g. the Austrian Gaming Act (GSpG), the Austrian Works Constitution Act (ArbVG), the Employees Act (AngG), the Working Hours Act (AZG), the Workers Protection Act (ASchG), etc.).

As a basic principle, our data processing of your personal employee data is undertaken for the purposes of establishing, performing and terminating your employment relationship. The primary legal basis for this is Art. 6 (1) (b) GDPR. In addition, we may also rely on your separate consents given under works agreements pursuant to Art. 6 (1) (b) in conjunction with Art. 88 (1) GDPR and , where applicable, under Art. 6 (1) (a) and (f) and Art. 9 (2) (a) and (b) GDPR, as general rules governing consent under data protection law. The relevant works agreement covering your employment relationship may be accessed at any time on our internal Infonet network via the link "@work/Betriebsrat".

We also process your data to comply with our legal obligations as an employer, in particular in the realm of tax and social security law. This is done on the basis of Art. 6 (1) (c) GDPR.

To the extent required, we also process your data on the basis of Art. 6 (1) (f) GDPR in order to safeguard our own legitimate interests or those of third parties (e.g. public authorities). This applies in particular to investigations of criminal acts or for internal communications and other administrative purposes within our Group.

In the event that you have granted us consent to process your personal data for particular purposes, the legitimacy of our data processing will be governed by the scope of your consent. This will particularly apply in cases in which you obtain potential grants/financial assistance (e.g. staff development grants by the Austrian Labour Market Service). The legal basis in this context is Art. 6 (1) (a) GDPR.

In the event that we process special categories of personal data pursuant to Art. 9 (1) GDPR, this is undertaken in the context of your employment relationship to enable us to exercise rights or fulfil legal obligations arising out of employment law and social legislation (e.g. transmission of health-related data to health insurance providers). This is done on the basis of Art. 9 (2) (b) GDPR.

In addition, the processing of special categories of personal data may also be based on prior consent as defined in Art. 9 (2) (a) GDPR (e.g. works medical officer).

In the event that we process your personal data for any purpose other than those indicated above, we will inform you of the situation in advance.

Who receives your data?

Within our Group, your personal data is only provided to those persons and departments (e.g. payroll accounting, personnel administration, your line manager, works council) who require this data to fulfil our contractual and legal obligations.

In addition, in some cases we use various external processors in order to perform our contractual and legal obligations and to safeguard our legitimate interests.

In addition, we may forward your personal data to further recipients outside the company to the extent necessary in order to discharge our contractual and legal obligations as an employer.

These may, for example, include:

- **Public authorities** (e.g. pension scheme, social security agencies, tax offices, courts),
- **Bank** of the employee (SEPA payment media),
- **Health insurance companies**,
- **Employee pension and severance fund** (Valida Vorsorgemanagement GmbH),
- Bodies required to fulfil our **old-age pension** commitments,
- **Insurance companies** (Uniq, Donauversicherung, Funk Gruppe) with whom we have Group insurance arrangements, if and when the employee has signed a contract with the company,
- In the event that our Group plans to hire a person, our Corporate Function **Responsible Gaming** carries out checks to determine if the employee has in the past exhibited signs of a gambling problem as defined in the Austrian Gaming Act,
- In the event that our Group plans to hire a person, our compliance department carries out checks on the **Dow Jones Database** and in **publicly accessible sources** to ascertain whether there are any irregularities in the areas of corruption, money laundering and financing of terrorism,
- **Third party creditors** in the event of an attachment of wages or salary,
- **Liquidators** in the event that any person should declare themselves bankrupt.
- **Public bodies** (e.g. the Labour Market Service for purposes of obtaining potential staff development grants or financial assistance).

What data protection laws can you assert as a Data Subject?

- You can request **information** about the personal data stored on you from your employer, from our Data Protection Officer or from our Corporate Function Human Resources.
- You can also demand in certain circumstances that your data be **corrected** or **erased**.
- You likewise have a **right to restrict the use of your data** as well as a
- **right to be provided with the data you have supplied** in a structured, common and machine-readable format.

Should you wish to assert such a claim, please contact our Data Protection Officer.

Right of refusal

You have the right to refuse permission to process your personal data for direct advertising purposes without giving any reason for this refusal. If we process your data for justified reasons in accordance with Art. 6 (f) GDPR, you can object to this processing for reasons that relate to your particular situation.

We will then no longer process your personal data unless we can demonstrate compelling and legitimate reasons for doing so that outweigh your interests, rights and liberties or if the processing thereof serves to enforce, exercise or defend legal claims.

Where can you lodge a complaint?

You have the option of lodging a complaint with our aforementioned Data Protection Officer or with the Data Protection Authority.

How long do we store your data?

We erase your personal data as soon as it is no longer required for the aforementioned purposes.

At the end of your employment relationship with our Group, your personal data will be stored for as long as we are legally required to do so. These regular requirements are the result of legal burdens of proof and data retention obligations arising from various laws and provisions, including the Austrian Companies Act (UGB), the Austrian Civil Code (ABGB), the Austrian Fiscal Code (BAO) and the Austrian Employee Act (AngG).

The storage periods can thus range from 7 months to thirty years after termination of your employment relationship.

Applicant data will be stored for the duration of the application process and the period of litigation and will be deleted after a period of 7 months. In the event that the applicant should consent to his/her data being retained on file, this data will be stored for a period of 12 months and then subsequently erased.

The situation may also arise that we are required to store data for the duration of time in which claims can be made against us (legal statute of limitations of three or up to thirty years).

In the event that a former employee should have a claim to a company pension, his/her employee data will also be used beyond the end of his/her term of employment with the group and used as required to provide the company pension.

Will your data be transmitted to a third country?

In general, we do not provide any personal employee data to any third countries.

However, should we nonetheless be required to provide personal data to a processor or company in our Group outside the European Economic Area (EEA), we will only do so if the level of data protection in this third country is deemed adequate by the European Commission or if other adequate data protection guarantees (e.g. binding company-internal data protection provisions or EU Standard Contract Clauses) are in place.

Are you obliged to provide your data?

For the purposes of your employment with our Group, you must provide the personal data required to establish, perform and end your employment relationship and to fulfil your contractual duties thereby. You must also supply the personal data that we are legally obliged to obtain. Without these data, we are not in a position to enter into an employment relationship with you.

To what extent does the Group make automated decisions in individual cases or carry out profiling measures?

We currently do not make use of any automated decision-making processes - including profiling - to establish, perform or end an employment relationship.

Analyses of protocol data are only carried out in individual cases specifically covered by the relevant works agreements. In all such cases, the Central Works Committee and/or Local Works Committee will be immediately informed. The relevant works agreement that covers your employment relationship can be accessed at any time on our internal Infonet network via the link "@work/Betriebsrat".

Data processing in connection with the coronavirus

In addition to the remarks we have made above, the following points also apply to data processing in connection with the coronavirus.

Which categories of data are processed?

In particular, we will process core personnel data and health data, for example on the basis of transmitted risk certificates or notifications of illness or home quarantine.

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

The data are processed for the containment of the coronavirus and for protection of non-infected employees. The duty to protect employees arises from our duty of care as employers.

As health data are special categories of personal data, they are processed on the basis of Art. 9 (2) (b) and (i) GDPR.

Who receives your data?

Due to our legal obligations as an employer, data may be transmitted to recipients such as health authorities or district administrative authorities. Furthermore, the obligation to provide evidence may require us to transfer data to the Austrian Health Insurance Fund (German acronym: ÖGK).

How long is your data stored?

Data based on notifications of illness or home quarantine will be stored for three years. Data based on the risk certificate will be kept for up to seven years for purposes of providing verification to the ÖGK.