

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

This document provides you with information on the use of your personal data in conjunction with your application for employment or your employment relationship in the Casinos Austria AG & Österreichische Lotterien GmbH Group¹ (hereinafter referred to as “the Group” or “we”) and your corresponding rights under data protection regulations.

Who is responsible for the use of this data in the Group? Who is the Data Protection Officer?

Your employer is responsible for the data use.

Your notice of employment and/or contract of employment details which of the following companies you are employed by.

Within our Group, the following companies as employers are responsible for the use of employee data as defined in the General Data Protection Regulation (hereinafter referred to as 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
- win2day Entwicklungs- u. Betriebsgesellschaft m.b.H.
(hereinafter referred to as “**win2day**”) FN 249892p
- 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
- Österreichische Sportwetten Gesellschaft m.b.H.
(hereinafter referred to as “**tipp3**”) FN 196645i
- Cuisino Ges.m.b.H.
(hereinafter referred to as “**Cuisino**”) FN 54015i

¹ Casinos Austria AG, Österreichische Lotterien GmbH, win2day Entwicklungs- und Betriebsgesellschaft m.b.H., 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. and Congress Casino Baden Betriebsges.m.b.H.

- 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, Austria.

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

You can contact our **Data Protection Officer** at our office address – Rennweg 44, 1038, Vienna, Austria – as well as by phone on +43 1 53440 22129 or e-mail at datenschutz.cal.at. The contact details for our Data Protection Officer can also be found on the websites of the individual companies in our Group by clicking on the “Data Protection” link or in 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 data used relates to the following categories in particular:

- **Core 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);
- Data on your **marital status** and if applicable your **spouse, partner and children**;
- Data on your **religion** if and so far as this can be/is specifically indicated;
- Data on your **professional qualifications, school-level education** and professional training;
- **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, vacation details, periods of incapacity to work, character references, bank account details, social security number and salary data). These can also include special categories of personal data like **health data** (e.g. **diagnosed level of disability**).
- **Work-related performance data** (performance grade, bonus level).

The group of people for whom we use such data comprises employees and former employees as well as persons applying for employment with our 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 our Group.

In some circumstances, we are obliged by law to obtain personal data from other sources on a need-to-know basis. This includes in particular tax information from your tax office and information on incapacity to work from your health insurance provider.

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

We may also on occasion use personal data obtained admissibly from publicly accessible sources (e.g. professional networks like Xing or LinkedIn).

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

We use your personal data for the purposes of your employment relationship with our Group, paying due care in the process to the provisions of the EU General Data Protection Regulation (GDPR), the Austrian Data Protection Act (DSG) and all other relevant employment-related legal provisions (e.g. the Austrian Gaming Act (GSpG), Labor Constitution Act (ArbVG), Employees Act (AngG), Working Hours Act (AZG), Workers Protection Act (ASchG), etc.).

In essence, we use your personal data to justify, enact and terminate your employment relationship with our Group. The primary legal basis for this is Art. 6 (1) b GDPR in conjunction with Art. 11 DSG. We may also use data under the provisions of Art. 6 (1) b in conjunction with Art. 88 (1) DSGVO in conjunction with Art. 11 DSG through works agreements or, if necessary, by obtaining your explicit consent to do so in accordance with Art 6 (1) a, 7 and Art. 9 (2) a DSGVO. 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”.

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

If necessary, we also use your data in line with Art. 6 (1) f GDPR to safeguard our own legitimate interests or those of third parties (e.g. authorities). This applies in particular to the investigation of criminal acts or for internal communication and other administrative purposes within our Group.

In the event that we should make use of any special categories of personal data as defined in Art. 9 (1) GDPR, this serves in the context of your employment relationship to exercise rights or fulfil legal obligations arising from employment and social legislation (e.g. the transmission of health-related data to health insurance providers). This is done on the basis of Art. 9 (2) GDPR.

The use of such special categories of personal data may also be based on prior consent as defined in Art. 9 (2) GDPR (e.g. Works Council, religious affiliation).

In the event that we should use 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 fulfill our contractual and legal obligations.

We also on occasion use various sub-contractors to fulfill our contractual and legal obligations.

Furthermore, we may provide your personal data to other recipients outside our Group if so required to fulfill our contractual and legal obligations as an employer. These can include, for instance:

- **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 a person should be hired by the Group, 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,
- **Third parties** in the event of a seizure of wages or salary,
- **Liquidators** in the event that a person should declare themselves bankrupt.

Which data protection laws can you assert?

- You can request **information** about the personal data we store 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 **deleted**.
- 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 to Refuse

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

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

Where can you lodge a complaint?

You have the possibility to lodge a complaint with our aforementioned Data Protection Officer or with the Data Protection Authority.

How long do we store your data?

We delete 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 actual storage periods can thus range from six (6) months to thirty (30) years after termination of the employment relationship.

Applicant data will be stored for the duration of the application process and deleted after a period of six (6) 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 deleted.

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 (3) or up to thirty (30) 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 provided 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 contractor or company in our Group outside the European Economic Area (EEA), we will only do if and when 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 supply your data?

For the purposes of your employment with our Group, you must supply the personal data required to justify, enact 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 processes – including profiling – to justify, enact or end an employment relationship.

Analyses of protocol data are only carried out in individual cases specifically covered by the respective works agreements. In all such cases, the Central Works Committee and/or Local Works Committee is 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”.

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