

# ***PRIVACY POLICY FOR CANDIDATES***

*Rendered pursuant to art. 12, 13 and 14 of Regulation (EU) 2016/679*

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Registered and operational headquarters: Via Riva Rossa n. 12 – 34076 Romans D'Isonzo (GO)

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## 1 RECIPIENTS OF THE DOCUMENT

This document is aimed at individuals who propose their application by spontaneously sending CV to the company **SCHMUCKER s.r.l.** (hereinafter simply "**SCHMUCKERs.r.l.Company**") or through the companies or personnel selection services used by **SCHMUCKER**

## 2 PREMISE

In order to make this document more understandable and transparent to the reader, we felt it was necessary to use simple and colloquial language. Therefore, the use of a less formal tone should not be interpreted as a lack of respect or courtesy towards the Candidate but simply as a way to facilitate communication.

## 3 PURPOSE OF THE DOCUMENT

In compliance with the indications provided for by **Regulation (EU) 2016/679** (hereinafter, "**Regulation**" or "**GDPR**") on the processing and free movement of personal data, you have the right to know all the information regarding the processing of your personal data in a clear and transparent manner.

This information is provided to you at the time of acquiring the information or, in the case of spontaneous sending of the CV, at the time of the first useful contact following receipt of your CV. All further information acquired after the selection phase and necessary for the activation of the employment contract will be processed for the purposes declared in document **INF-MOP.02 – EMPLOYEE INFORMATION** which will be issued to you only at the time of hiring.

## 4 DEFINITIONS

The definitions of the terms used in this document are to be understood as per Article 4 of [EU Regulation 2016/679](#).

## 5 DATA CONTROLLER OF PERSONAL DATA AND EMPLOYMENT RELATIONSHIP

**SCHMUCKER s.r.l.** (hereinafter simply "**SCHMUCKER**") is the Data Controller of your personal data pursuant to the Regulation. The following is the contact information:



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## 6 PURPOSE OF THE PROCESSING

The personal data contained in your application (e.g. CV), or collected during the selection process, will be processed exclusively for the following purposes:

ID	Description of the purposes, lawfulness basis, origin of the data and duration of processing
F1	<p><b>Purpose:</b> <i>To manage, analyze, classify, evaluate and select applications and make the selection for the purpose of possibly establishing an employment relationship and/or collaboration.</i></p> <p><b>Lawfulness:</b> These processing operations will be carried out pursuant to Article 111 BIS of Legislative Decree 101/2018 and Article 6 paragraph 1 letter b) of the GDPR as they are pre-contractual measures necessary to activate the employment contract. This is the legal basis used when your personal data is necessary for the performance of the contract to which you are a party or for the execution of all pre-contractual measures taken at your request. For the processing taken into consideration in this policy, reference is made exclusively to the Employment Contract.</p> <p>Although it is not the legal basis normally used for the processing of your data to which this policy refers, we may sometimes request your consent pursuant to art. 6.1 letter a) of the GDPR for some specific purpose. In this case, you will be promptly informed in writing and have the right to revoke your consent at any time.</p> <p><b>Origin of the data:</b> The data are provided directly in the CVs, provided voluntarily during interviews, acquired through third parties.</p> <p><b>Duration of processing:</b> The processing will cease at the end of the selection process or within <b>2 years</b> of receipt of your application (e.g. CV). However, the data may be further processed if you have been deemed suitable for possible future job positions.</p> <p><b>Further storage:</b> If deemed appropriate and lawful, at the end of the duration of the processing, your personal data may be further stored for civil or judicial reasons (see <b>purpose F3</b>).</p>
F2	<p><b>Purpose:</b> <i>To comply with legal obligations, regulations deriving from EU legislation, or deriving from instructions given by public authorities or supervisory bodies.</i></p> <p><b>Lawfulness:</b> This processing is carried out by legal obligation pursuant to Article 6 para. 1 letter c) of the GDPR.</p> <p><b>Origin of the data:</b> The data are provided directly by you in CVs, during interviews, acquired through third parties (e.g. companies or selection services).</p> <p><b>Duration of processing:</b> The processing will cease upon expiry of the legal obligation.</p> <p><b>Further storage:</b> Compatibly with the retention period imposed by law, if deemed necessary and lawful, your data may be further stored for civil or judicial reasons (see <b>purpose F3</b>).</p>
F3	<p><b>Purpose:</b> <i>To take protective actions to protect the interests of the Company or those of third parties such as, for example, exercising defense in court and/or asserting rights.</i></p> <p><b>Lawfulness:</b> These processing operations are carried out pursuant to Article 6 paragraph 1 letter f) of the GDPR on the basis of the Legitimate Interest of the Data Controller.</p> <p><b>Origin of the data:</b> The data subject to storage processing are provided or collected for all the purposes stated in this document.</p> <p><b>Duration of processing:</b> Until the purposes of protection have been achieved.</p> <p><b>Further storage:</b> We will retain your personal data for the period of limitation provided for by the legislation for the protection of related rights, without prejudice in any case to longer retention periods provided for by specific sector regulations. In particular, the data will be processed and/or stored for a period of <b>10 (ten) years</b> from the achievement of the collection purposes.</p>
F4	<p><b>Purpose:</b> <i>Anonymization for internal analysis and statistical purposes.</i> In some circumstances, for processing carried out for purposes <b>F1</b> and <b>F2</b> we may anonymise some data so that it can no longer be associated with you, in such cases it will be possible for us to use said data without further notice to you and keep it indefinitely. We will carry out anonymization only if we are able to guarantee and demonstrate over time the impossibility of being able to associate such data with you again (e.g. through Reverse Engineering techniques).</p> <p>For example, the data may be used to process labour market statistics, quality statistics, security statistics, access to web services, etc. If the use of your anonymised data is required to feed statistics that may fall outside your legitimate expectations, we will provide you with specific information and collect your consent if necessary.</p> <p><b>Lawfulness:</b> This anonymization processing will be carried out pursuant to <i>Article 6 paragraph 1 letter f)</i> of the GDPR on the basis of the Legitimate Interest of the Data Controller.</p> <p><b>Data Origin:</b> The data are collected for purposes <b>F1</b> and <b>F2</b></p> <p><b>Duration and Retention:</b> We will retain and use anonymized data indefinitely.</p>

## 7 FURTHER TREATMENTS

If, during the selection process, further and specific processing is necessary, not indicated in this policy, it will be necessary to provide specific information in advance and, if necessary, proceed to acquire the necessary consent. This principle will also apply if it is necessary and lawful to process special categories of data (pursuant to Article 9 of the GDPR) or to process personal data relating to criminal convictions and offences (pursuant to Article 10 of the GDPR) if this is provided for by law. **SCHMUCKER**

## 8 PERSONAL DATA SUBJECT TO PROCESSING

### 8.1 PERSONAL DATA

You should be aware that we may record, store and use the following information about you or referable to you:

- *Personal Identifiers* such as title, name, date of birth, age, gender, residence, *personal email*, telephone number, as well as, if necessary, social security number, ID number, driver's license number, passport;
- *Curriculum Vitae (CV)* which will include information about your education and details such as qualifications, academic data, schools, training and professional skills;
- Data of a particular nature (e.g. data relating to your health condition) freely included in your *CV* or otherwise communicated by you;
- *Additional information* necessary for the selection and consistent with what you can reasonably expect by virtue of the professional figure sought.

### 8.2 SPECIAL CATEGORIES OF DATA

Some of the personal data processed may belong to the special categories of personal data ("*data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, or genetic or health-related data*" - Art. 9 GDPR).

In a gradual manner with respect to the selection process, we may, in particular, process data relating to conditions of disability (possible registration for targeted placement) to assess your suitability for work and to ensure compliance with the provisions of Law no. 68 of 12 March 1999.

The processing of such data will take place in compliance with the requirements contained in the Authorisation for the processing of sensitive data in the employment relationship (no. 1/2016) updated to the Provision of the Guarantor Authority of 13 December 2018 ("*Provision identifying the requirements contained in the General Authorisations that are compatible with the Regulation and with Legislative Decree no. 101/2018 adapting the Code*" – Web Doc. no. 9068972).

### 8.3 INFORMATION ON CRIMINAL CONVICTIONS

We will collect information relating to criminal convictions only where this is appropriate given the nature of the role and provided that such investigation is permitted by law.

## 9 PRINCIPLES APPLICABLE TO DATA PROCESSING

From the moment of collecting information, any processing we carry out will comply with the principle of relevance and non-excessiveness by virtue of the purposes pursued by the same. We inform you that access to your personal data by the subjects appointed by us is allowed only if the knowledge is considered strictly indispensable for the pursuit of the purposes illustrated in this document.

## 10 MANDATORY OR OPTIONAL NATURE OF THE PROVISION OF DATA

For the purposes stated in this policy, the provision of personal data is a necessary requirement and any refusal by you to provide the requested information could prevent, totally or partially, the performance of the activities aimed at concluding the selection process, or the fulfilment of legal obligations, regulations deriving from EU legislation, or deriving from instructions given by public authorities or supervisory bodies. For example, they may not be able to choose you as a candidate for the role requested. **SCHMUCKER**

## 11 LEARN MORE ABOUT RETENTION

CVs and data collected during the selection process will be deleted/destroyed or anonymised within **180** days of expiry of the retention periods stated in [paragraph 6](#).

## 12 METHODS OF PROCESSING

We inform you that, with logics strictly related to the purposes of collection, we adopt and observe strict procedures and security measures to store, use and allow you to view your personal data through paper, computer and telematic tools, so as to always guarantee their protection from unauthorized or unlawful processing and from loss, destruction or accidental damage. **SCHMUCKER**

In particular, your data are:

- collected exclusively for the purposes declared and subsequently processed in compliance with the same;
- adequate, relevant and limited with respect to the purposes stated above ("so-called data minimization");
- accurate and, if necessary, updated, deleted and/or corrected, also on the basis of your indications;
- used and stored for a period of time not exceeding the achievement of the purposes for which they are collected.

### 13.1 AUTOMATED DECISIONS



In order to select applications, it does not implement automated decisions based on your personal data. **SCHMUCKER**

### 13.2 SAFETY



With reference to the processing of their personal data, it has taken steps to assess the risks to the rights and freedoms of the candidates, also taking into serious consideration the risks looming over the IT systems used. The risks were then addressed by analyzing the sources of risk and mitigating the threats capable of realizing them. **SCHMUCKER**

## 13 SCOPE OF COMMUNICATION AND DISSEMINATION OF DATA

In order to pursue the purposes stated in this document and within the limits of what is strictly necessary, **SCHMUCKER** makes use of the activities of external parties with whom specific agreements are entered into on the processing of personal data to regulate the relationships of **Ownership/Responsibility** pursuant to the Regulation (e.g. external parties that carry out technical, commercial, legal, administrative consultancy activities, companies that provide IT services in the Cloud, data processing, shipping and transport services, banks, bodies, public administrations, authorities, supervisory bodies, etc.). Internally, the subjects involved in the processing of your personal data are bound to confidentiality, adequately trained and appointed as "**Authorized**" subjects to the processing.

Without prejudice to any legal obligations, **your personal data will not be disseminated in any way.**

For more information on who may become aware of your personal data, you can contact our Corporate Data Protection Coordinator.

## 14 TRANSFER OF DATA ABROAD

Normally, in order to carry out the application selection process, **SCHMUCKER** does not transfer candidates' personal data outside the European Economic Area (EEA). However, if your personal data is transferred to countries located outside the European Economic Area (EEA), in the absence of adequacy decisions from the Commission of the European Union, **SCHMUCKER** will ensure appropriate safeguards to protect the personal data of its candidates in these countries. Some of the safeguards that may be put in place, where appropriate, include the use of standard contractual clauses approved by the European Commission, pseudonymization and, if possible, encryption of the data itself.

By way of example but not limited to, we inform you that the transfer abroad of your personal data is often linked to the use of cloud technologies, digital communication systems, security software and protection of IT services. In these cases, our Company undertakes to use services chosen from among the operators that guarantee greater standards of security and attention to the protection of personal data.

In this regard, we inform you that **SCHMUCKER** uses some ICT services, provided by US companies such as, for example, Microsoft, Google and Apple which operate as our Data Processors pursuant to Article 28 of the GDPR.

For this reason, we sign service contracts and "*Data Processing Agreements*" (DPAs) with these companies which also include the "*Standard Contractual Clauses*" (SCCs) established by the European Commission pursuant to art. 46, par. 1, GDPR.

However, while selecting, where possible, the provision of such services through Data Centers located within the EEA, the Data Processor may have to allow access to our data to the American authorities as a result of the so-called "Cloud ACT".

## 15 RIGHTS OF THE DATA SUBJECT

As a data subject, you may exercise the rights granted to you by Articles 15 to 22 of the Regulation at any time. In particular, in the manner and within the limits of the law, you have the right to ask our company for access to your personal data, rectification, erasure or limitation of the processing of personal data concerning you and to object to their processing. To exercise your rights, you can use the contact channels provided in this document.



You can obtain more information on the rights applicable to the processing stated in this policy in [ANNEX A](#)

## 16 COMPLAINT TO THE SUPERVISORY AUTHORITY (art. 77 GDPR)

Without prejudice to the possibility of contacting **SCHMUCKER** to obtain any information or to exercise your rights, we inform you that you may lodge a complaint before the competent independent administrative authority in the Member State of the European Union where you habitually reside, where you work, or where you believe there has been an alleged violation of the law on the protection of your personal data. In Italy, you can lodge a complaint with the Italian Data Protection Authority (GPDP). For information on how to submit your complaint to the authority you can use the following contact details:



### **Guarantor for the protection of personal data**

Switchboard: +39 06.696771  
E-mail address: [garante@gpdp.it](mailto:garante@gpdp.it)  
PEC address: [protocollo@pec.gpdp.it](mailto:protocollo@pec.gpdp.it)  
Website: <https://www.garanteprivacy.it>

## 17 UPDATE OF THE POLICY

The document is periodically revised according to regulatory and/or corporate changes. In the event of a change in its fundamental parts (such as the purposes, methods, to whom we communicate the data, where we transfer it, etc.) it will be the responsibility of our company to inform you of the change.



You can find the updated version of this policy on the institutional website of **SCHMUCKERs.r.l.**

## ANNEX A

### **GUIDE TO THE EXERCISE OF THE RIGHTS APPLICABLE TO THE PROCESSING DECLARED IN THE INFORMATION FOR CANDIDATES INF-MOP 04 VER. 01 OF 20/11/2024**

#### **RIGHT OF ACCESS (Art. 15 GDPR)**

As a data subject, you have the right to obtain confirmation as to whether or not we are processing personal data concerning you and, if so, to obtain access to the following information:

1. the purposes of the processing;
2. the categories of personal data concerned;
3. the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular if recipients are from third countries or international organisations;
4. where possible, the envisaged retention period for personal data or, if this is not possible, the criteria used to determine that period;
5. the existence of the right of the data subject to request from the controller the rectification or erasure of personal data or the restriction of the processing of personal data concerning him or her or to object to their processing;
6. the right to lodge a complaint with a supervisory authority;
7. if the data have not been provided directly by you, all available information on their origin;
8. the existence of automated decision-making, including profiling and, at least in such cases, meaningful information on the logic used, as well as the consequences of such processing for you.
9. If your personal data is transferred to a third country or to an international organisation, you have the right to be informed of the existence of appropriate safeguards pursuant to Articles 45-50 of the GDPR.



Your right to obtain a copy of the data will only be granted to you if it is possible to do so without infringing the rights and freedoms of others. If you decide to exercise this right, we will provide you with a copy of the personal data being processed. **If you request additional copies, we may charge you a fee based on our administrative costs.**

**Conditions of applicability**

This right is guaranteed for all processing carried out by us regardless of its lawful basis. Especially:

Conditions of non-applicability

The right does not apply to data that has already been anonymized for F4 purposes

**RIGHT TO RECTIFICATION (Art. 16 GDPR)**

You have the right to obtain from us the modification and updating of your personal data without undue delay. Taking into account the purposes of the processing, you have the right to obtain the completion of your incomplete personal data, including by providing us with a supplementary statement.

**Conditions of applicability**

This right is guaranteed for all processing carried out by us regardless of its lawful basis. In particular, it is applicable to the following treatments:

Conditions of non-applicability

The right does not apply to data that has already been anonymized for F4 purposes

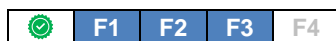
**RIGHT TO ERASURE "RIGHT TO BE FORGOTTEN" (Art. 17 GDPR)**

You have the right to obtain the erasure of personal data concerning you without undue delay.

**Conditions of applicability**

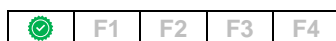
We grant you this right for the following processing, where one of the following reasons exists:

1. When the personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed:

Specific conditions of non-applicability

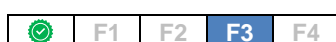
The right does not apply to data that has already been anonymized for F4 purposes

2. if you have withdrawn the consent on which the processing is based and there is no other legal basis to continue it without your authorization. The law does not apply to any of the processing operations stated in this policy.

Specific conditions of non-applicability

The right is not applicable as no processing stated in the policy is based on the consent of the data subject

3. if you object to the processing and there is no overriding legitimate reason on our part to proceed with the processing anyway:






Specific conditions of non-applicability

- ☒ The right is not applicable to processing carried out for purposes **F1** and **F2** as it is not based on legitimate interest and to data already anonymized for **purposes F4**

4. if personal data are processed unlawfully:

	F1	F2	F3	F4
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5. if personal data needs to be erased in order to comply with a legal obligation to which we are subject as a Data Controller:

	F1	F2	F3	F4
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Specific conditions of non-applicability

- ☒ The right does not apply to data that has already been anonymized for F4 purposes

6. If personal data has been collected in connection with the provision of information society services:

	F1	F2	F3	F4
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Specific conditions of non-applicability

- ☒ The law does not apply to any of the processing operations stated in this policy.

**RIGHT TO RESTRICTION OF PROCESSING (Art. 18 GDPR)**

This right is guaranteed for all processing carried out by us regardless of the lawful basis used.




The personal data subject to restriction are processed, except for storage, only with your consent or for the establishment, exercise or defense of a right in court or to protect the rights of another natural or legal person. In addition, we inform you that if you have obtained the restriction of processing you are informed by the controller before said restriction is lifted.

**Conditions of applicability**

You have the right to obtain the restriction of processing when one of the following applies:

1. You have contested the accuracy of your personal data; The restriction will apply for the period necessary to allow us to verify the accuracy of such data:

	F1	F2	F3	F4
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Specific conditions of non-applicability

- ☒ The right does not apply to data that has already been anonymized for F4 purposes


2. the processing is unlawful and you oppose the erasure of your personal data by requesting, instead, that its use be limited:

	F1	F2	F3	F4
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Specific conditions of non-applicability

- ☒ The right does not apply to data that has already been anonymized for F4 purposes

3. although we no longer need it for the purposes of the processing, the personal data is necessary for you to establish, exercise or defend legal claims:

	F1	F2	F3	F4
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Specific conditions of non-applicability

☒ The right does not apply to data that has already been anonymized for F4 purposes

4. You are opposed to the treatment; The restriction will be applied pending verification of whether our legitimate reasons for continuing it prevail:

	F1	F2	F3	F4
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Specific conditions of non-applicability

☒ The right is not applicable to data already anonymized for **F4** purposes and to processing carried out for **F1** and **F2** purposes as they are not based on legitimate interest.

**RIGHT TO NOTIFICATION (Art. 19 GDPR)**

You have the right to obtain direct communication from us to each of the recipients to whom your personal data has been transmitted, regarding your requests for rectification or erasure or restriction of processing, unless this proves impossible or involves a disproportionate effort. In addition, if you deem it appropriate, you have the right to obtain the list of recipients of your data.

**Conditions of applicability**

This right is guaranteed for all processing carried out by us regardless of the lawful basis used:

	F1	F2	F3	F4
---	----	----	----	----

Specific conditions of non-applicability


☒ The right does not apply to data anonymised for **F4 purposes**

**RIGHT TO DATA PORTABILITY (art. 20 GDPR)**

You have the right to receive the personal data concerning you that you have provided to us in a structured, commonly used and machine-readable format and you have the right to obtain from us the direct transmission of such data to another controller if technically feasible.

**Conditions of applicability**

This right is only guaranteed for processing operations that have consent or contract as their legal basis and are carried out by automated means:

	F1	F2	F3	F4
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Specific conditions of non-applicability

☒ The law does not apply to the processing we carry out

**RIGHT TO OBJECT (Art. 21 GDPR)**


You have the right to object at any time to the processing of your personal data based on our legitimate interest, including profiling.



We will only refrain from further processing your personal data if we cannot demonstrate that there are compelling legitimate grounds for your interests, rights and freedoms. The processing will continue even if the data is necessary for the establishment, exercise or defence of our rights or those of third parties in litigation.

**Conditions of applicability:**

The legal basis for the processing must be legitimate interest. The law is applicable to the following processing operations:

	F1	F2	F3	F4
---	----	----	----	----

Specific conditions of non-applicability

- ☒ The right is not applicable to processing carried out for F1 and **F2 purposes** as they are not based on legitimate interest and to processing carried out for F3 purposes as necessary for the assessment and defense in litigation.

**SPECIFIC RIGHTS IN THE CASE OF AUTOMATED DECISION-MAKING (Art. 21 GDPR)**

You have the right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or significantly affects you in a similar way. In addition, you have the right to obtain human intervention from the Controller, to express your opinion and to contest the automated decision.

In any case, decisions should not be based on the special categories of personal data referred to in Article 9(1) of the GDPR, unless Article 9(2)(a) or (g) of the GDPR applies, and adequate measures are in place to protect your rights and freedoms.

**Conditions of applicability**

The right does not apply if the decision:

- is necessary for the conclusion or performance of a contract between us;
- is based on your explicit consent;
- the decision is authorised by Union or Member State law.

	F1	F2	F3	F4
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Specific conditions of non-applicability

- ☒ The right does not apply to any of the processing operations stated in this policy as none of them subjects the data subject to a decision based solely on automated processing.

**RIGHT TO COMPENSATION FOR DAMAGES (Art. 82 GDPR)**

We inform you that anyone who suffers material or immaterial damage caused by a violation of Regulation 2016/679 has the right to obtain compensation for such damage.

**FORMS FOR EXERCISING RIGHTS**

To exercise your rights towards our Company, we recommend that you use the following form made available by the Data Protection Authority:

<https://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/1089924>

We remind you that your identification is always required on our part.

**CANDIDATE'S DECLARATION**

**This declaration is required by the Data Controller pursuant to art. 24 EU Regulation 2016/679  
"Responsibilities of the Data Controller"  
(Principle of Accountability)**

I, the undersigned \_\_\_\_\_,

with reference to the interview with the company **SCHMUCKERs.r.l.** based in Via Riva Rossa n. 12 – 34076 Romans  
D'Isonzo (GO)

**Declare**

that I have received the information contained in the Candidate Privacy Policy regarding the processing of my personal data  
in relation to the interview and in particular relating to:

- the purposes for which my personal data (and possibly those of my family members) are intended, including special categories of personal data as well as any data relating to criminal convictions and offences, and the methods of their processing;
- the compulsory or optional nature of the provision of the requested data and the consequences of my refusal to provide such data;
- to the subjects to whom the personal data may be communicated;
- the data retention period;
- the rights recognized by the GDPR and the methods of exercising them.

Place and date, \_\_\_\_\_

**Company:** \_\_\_\_\_