



PRIVACY INFORMATION PURSUANT TO ART. 13

OF THE EUROPEAN PERSONAL DATA PROTECTION REGULATION

In compliance with art. 13 of EU Regulation 2016/679 - General Data Protection Regulation ("**GDPR**") and of Legislative Decree no. 196/2003, as subsequently amended and integrated, we inform you about the processing of personal data carried out for the purposes related to the establishment and execution of the employment / collaboration relationship between you and our company:

ERG S.p.A. as owner of the processing of your data (hereinafter the "**Owner**").

1. Applicability of this privacy disclaimer

This privacy disclaimer (hereinafter the "Disclaimer ") on the processing of personal data applies to:

- a) employees and subordinate workers;
- b) interns;
- c) any other natural person who carries out a job in any capacity, regardless of the type of contract, in favor of the Data Controller;

hereinafter referred to as "Interested".

Therefore, with this Disclaimer, the Data Controller intends to provide the interested parties with the necessary information on the processing of their personal data, as required by the applicable legislation.

2. Data processed

The treatment described in this Disclaimer relates to the personal data of the Interested parties collected during the Worker selection phase or pre-contractual activities aimed at signing the employment or collaboration contract or at the time of the assumption or signature of the employment contract or collaboration or provided directly by the Worker during the performance of the employment or collaboration relationship. Furthermore, the Data Controller may receive the personal data of the interested party from third parties (such as, for example and not limited to, administration agencies, headhunters or public subjects such as INPS, INAIL, Agenzia delle Entrate).

The types of personal data processed include the following data:

- a) identification and contact data of the interested party (e.g. his name, date of birth, gender, photo, personal and company contacts of the worker);
- b) the Worker's bank, tax and remuneration data (e.g. bank details, tax information, insurance information, data relating to remuneration, wages, salaries, payment of replacement indemnities and other benefits);
- c) data relating to the Worker's work activity, also carried out with another employer (e.g. work experience, information relating to suitability for work, information relating to the task performed, working time, data relating to absences, data relating to job performance, information relating to disciplinary procedures, etc.);
- d) data relating to worker access to the workplace, the methods of use of company tools, images of video surveillance systems or other information obtained through electronic tools, such as company badges, within the limits expressly permitted by applicable laws;



In addition, the Data Controller also processes particular categories of personal data relating to the interested party, provided that they are strictly related to the aforementioned obligations, tasks or purposes. In particular, to the extent that this is foreseen and / or permitted by the applicable legislation or by the applicable collective agreement, the following particular categories of personal data pursuant to art. 9 of the European Regulation:

- e) data relating to the Worker concerning the use of religious permits and holidays, as well as the manifestation, in the cases provided for by law, of conscientious objection;
- f) data relating to the Worker concerning the exercise of public functions and political offices, activities or trade union offices (provided that the processing is carried out for the purpose of the use of permits or leave periods recognized by law or, possibly, collective agreements, including company agreements), or the organization of public initiatives, as well as the data relating to withholdings for the payment of union service fees or membership fees to associations or political or union organizations; is
- g) the data relating to the Worker collected and further processed in reference to disability, infirmity, pregnancy, puerperium or breastfeeding, accidents, exposure to risk factors, psycho-physical fitness to perform certain tasks, belonging to certain protected categories, as well as the data contained in the health certification attesting to the state of illness, also professional of the person concerned, or in any case also relating to the indication of the disease as a specific cause of absence of the Worker.

(hereinafter indicated, together with the data referred to in letters a) to g) above, the "**Data**").

3. Purpose of the treatment

Data processing is carried out for the following purposes:

- a) to execute the employment or collaboration contract to which the Worker is a party or to pre-contractual measures adopted at his request;
- b) for the performance of administrative, accounting, remuneration, insurance, social security and tax activities, including the keeping of accounts or the payment of salaries, checks, bonuses, other emoluments, donations or ancillary benefits related to the employment relationship;
- c) verify the correct fulfillment by the Worker of the obligations set out in his employment or collaboration contract;
- d) verify access and attendance at the company structure by means of suitable registration tools (such as company badges);
- e) for union assistance purposes to employers;

(the purposes indicated above are jointly defined the "**Contractual Purposes**");

- f) for the fulfillment of obligations under the law and collective agreements connected with the employment relationship;

(hereinafter referred to as the "**Legal Purposes**");

- g) carry out security and maintenance checks on the IT systems of the Data Controller, in order to ensure business continuity, identify and prevent unauthorized access or unauthorized communications, protect the business assets of the Data Controller and ensure compliance with the laws applicable;



- h) to verify the compliance of the use of company tools and devices with the terms of the Regulations for the use of the workplace and IT tools;
- i) carry out activities functional to company and business unit transfers, acquisitions, mergers, demergers or other transformations and for the execution of such operations;
- j) to assert or defend a right against the interested party or third parties, in court or out of court, as well as in the administrative or arbitration and conciliation procedures in the cases provided for by laws, community legislation, regulations or collective agreements;
- k) proceed with the anonymization and / or aggregation of the Data for statistical or analysis purposes;
- l) publish on the company Intranet and on company documents the name, surname, company contacts of the Workers, together with their image and professional profile;

(the purposes indicated above are jointly defined as the "**Legitimate Interest Purposes**").

More information relating to the processing of data in the context, among others, of the use of corporate tools and devices, the Internet and e-mail will be available in the relevant Company Standard adopted by the Data Controller and available on the company intranet at the following link: <https://ergate.erg.eu/it/>.

4. Legal basis of the processing

Data processing is mandatory with reference to the **Contractual Purposes** and the **Purposes of the Law** since the refusal to provide the Data for these purposes will make it impossible to enter into an employment or collaboration contract and / or to execute it.

The processing for the **Legitimate Interest Purpose** is carried out pursuant to article 6, letter f) of the European Regulation, for the pursuit of the legitimate interest of the Data Controller which is balanced equally with the legitimate interest of the interested parties, as the activity of Data processing is limited to what is strictly necessary for the execution of the economic operations requested or the other treatments indicated in the previous paragraph 3. The treatment for the purposes of legitimate interest is not mandatory and the interested party may oppose said treatment in the manner indicated in paragraph 9 of this Information, but if the interested party opposes said treatment, his data cannot be used for legitimate interest purposes except in the case where there is a prevalent legitimate reason of the Data Controller.

5. Processing methods

Your data will be processed both with the aid of computerized procedures and on paper and will be protected through suitable measures to guarantee the confidentiality and security of the Data.

6. Scope of data communication

For the purposes referred to in paragraph 3, the Data Controller may communicate - in whole or in part - the Data of the interested parties to the following categories of subjects:

- a) other employees of the Data Controller authorized to process within their respective duties and within the limits established by law;
- b) public or private subjects, including health bodies, company doctors, social security funds and supplementary and even health care funds, patronage and social assistance institutions, tax assistance centers, insurance companies, employment agencies, associations and trade union organizations of employers and employees,



freelancers, bodies or consortia, association bodies, bodies, public administrations, trade union associations, as autonomous owners or managers of the treatment;

- c) service provider companies that perform, on behalf of the Data Controller, as data controllers or processors, some technical and organizational activities, such as - by way of example and without limitation - administrative, legal, accounting and tax or IT services companies, marketing agencies, credit institutions;
- d) other companies belonging to the group of which the Data Controller is a part;
- e) subjects assigning companies or business branches, companies resulting from possible mergers, divisions or other transformations of the Data Controller, as independent data controllers.

7. Transfer of data abroad

As part of the processing carried out, the data may also be transferred to third countries in countries not belonging to the European Economic Area and, in particular in the United Kingdom. In such cases, the possible transfer of Data to countries located outside the European Economic Area will take place, in any case, in compliance with the appropriate and appropriate guarantees for the purposes of the transfer itself, pursuant to articles 44 and following of the GDPR.

8. Data retention period

The Data are kept for a period equal to the duration of the employment relationship and for 10 years following the termination of the same, except in cases where retention for a subsequent period is required for any disputes, requests from the competent authorities or pursuant to applicable legislation. For the purposes referred to in paragraph 3, letter k) above, the Data will be processed for the time strictly necessary to proceed with anonymization or aggregation.

At the end of the retention period, the data will be deleted, anonymized or aggregated.

9. Rights of the interested parties

The GDPR recognizes the following rights to the interested parties:

- obtain confirmation from the Data Controller whether or not personal data processing is being processed;
- know the origin of the Data, the purposes of the processing and its methods, as well as the logic applied to the processing carried out using electronic tools, thus obtaining access to the Data;
- obtain the updating, correction or - if interested - the integration of the Data concerning them;
- obtain the cancellation, transformation into anonymous form or blocking of data that may concern them processed in violation of the law, as well as to oppose, for legitimate reasons, the processing;
- obtain from the Data Controller the limitation of the processing in the event that: a) the interested party disputes the accuracy of the Data, for the period necessary for the Data Controller to verify the accuracy of such Data; b) the processing is unlawful but the interested party himself opposes the cancellation and instead requests the application of limitation measures or requests that the processing of the same takes place for the ascertainment or defense of his right in court; c) the interested party has opposed the processing pursuant to article 21, paragraph 1, of the GDPR pending verification of the possible prevalence of the legitimate reasons of the owner compared to those of the interested party;



- receive the data concerning them in a structured format, commonly used and readable by an automatic device; in the case of the exercise of this right, the interested party will have the right to request that the Data Controller transmit the aforementioned data directly to another data controller;
- oppose the treatment based on an automated decision-making process relating to a natural person, where this also includes profiling;
- if the treatment is based on consent, request the revocation of the same at any time; in this case, however, all the activities carried out before the revocation will remain valid and effective.

The interested party will also have the right to lodge a complaint with the Guarantor for the Protection of Personal Data at the contacts available on the website www.garanteprivacy.it, where the conditions exist.

Regarding the exercise of these rights, you can contact:

Owner of the Treatment

ERG S.p.A.

Via dei Marini, 1, 16149 Genova (GE)

Fiscal Code 94040720107

VAT number 10122410151

Phone number 010-24011

Referent of the treatment

Phone number 010-24011

casellaprivacy@erg.eu

10. Changes and updates

This information is valid from the effective date. However, the Data Controller can make changes and / or additions to said Information, also as a consequence of any subsequent changes and / or regulatory additions and at each update an e-mail will be sent to the Worker's personal address, so that the same can read it promptly.

Genoa, 23 June 2020

The Referent of the treatment

A handwritten signature in black ink, appearing to read 'Giuseppe Cazzopara', written over a horizontal line.