

## **Baker McKenzie Rechtsanwälte LLP & Co KG – Recruitment Data Privacy Notice**

**Baker McKenzie Rechtsanwälte LLP & Co KG of Schottenring 25, 1010 Wien ("Baker McKenzie", "us", "we" or the "Firm")** has prepared this Recruitment Data Privacy Notice ("**Notice**") for applicants ("**you**") to explain how the Firm processes information about you in the context of your application ("**personal data**") and your rights in relation to that information.

The Firm needs to process your personal data in order to manage your application for employment and to comply with our statutory obligations in relation to your application. If we are not able to carry out the processing activities described in this Notice we may not be able to continue with your application.

We are an entity of Baker & McKenzie International, any references in this Notice to "Baker McKenzie International" include all member firms and entities of Baker & McKenzie International globally.

### **Categories of Candidate Data**

The categories of personal data which the Firm will collect about you during the recruitment process will include, but will not be limited to:

- **Identification data**, such as your first and last name, photo (if voluntarily provided by you), passport or other identification documents, proof of your right to work (if applicable);
- **Personal information**, such as your date and place of birth and gender;
- **Contact details**, such as your home address, telephone number and email address;
- **Education and work experience**, such as information about your educational background, your work experience and other experience/interests, previous employment details including current salary and benefits package and contact details for your current/former employer;
- **Other application data**, such as the information included in your application form/CV/cover letter and details on any previous relationship with us;
- **Information collected as part of the interview process**, such as notes taken from your interview and/or assessment day, information provided from recruitment agencies, psychometric online test results and video interview recordings (where applicable);
- **Background check information**, such as information obtained through reference checks, confirmation about your work/educational background, and any other checks intended to verify the personal data which you have provided to us in respect of your application (subject to applicable law);
- **Profiling data**, such as personality profile analysis test results surrounding work preferences and styles of working; and
- **CCTV data** (where applicable) for routine security monitoring purposes if you attend our offices as part of the recruitment process.

together "**Applicant Data**".

In addition, to the extent permitted by law; the Firm may also collect, process and use the following special categories of personal data about you:

- **Health data**, such as information on disability or health conditions (to the extent permitted under local law);
- **Criminal records data** (to the extent permitted under local law);

together "**Sensitive Applicant Data**".

Typically, Sensitive Applicant Data is only processed in the event that we make you an offer of employment. At the interview stage, you will only be asked to inform us of any reasonable adjustments you require to be made.

## Purposes for Processing Your Personal Data

The Firm will process your personal data for the following purposes ("**Processing Purposes**"):

Processing Purposes	Categories of Applicant Data
Administering and processing your application (including processing a job offer should you be successful).  To determine your eligibility for the role you applied for.	Identification data, contact details, information about your qualifications, employment history, information collected during the interview process and information contained in your CV.
Conducting background checks as part of your application.	Identification data, contact details, information about your qualifications and employment history and any other background check information obtained through reference checks in order to verify the personal data which you have provided to us (subject to applicable law).
Complying with applicable laws and employment-related requirements and the administration of these requirements.	Identification data, contact details, social mobility data, background check information (subject to applicable law) and other application data.
Monitoring and ensuring compliance with applicable policies, procedures and laws.	Identification data, contact details, social mobility data and background check information (subject to applicable law) and other application data.
Complying with corporate financial responsibilities.	Identification data, contact details and information about the role you have applied for, including its salary and benefits.
Communicating with you, the Firm's employees and third parties (such as recruitment agencies), including informing you of future opportunities with the Firm.	Identification data, contact details, information about your qualifications and employment history.

Processing Purposes	Categories of Applicant Data
Responding to and complying with requests and legal demands from regulators or other authorities in or outside of your home country which involves the processing of identification data and contact details.	Identification data and contact details.
Routine security monitoring through the operation of CCTV.	Identification data and CCTV data.
Criminal records background checks in relation to you, where relevant and appropriate to the role you are applying for and to the extent permitted by law.	Criminal records data.

### Legal Bases for Processing Your Personal Data

The Firm relies on the following legal grounds for the collection, processing, and use of your personal data:

Applicant Data	Sensitive Applicant Data
<ul style="list-style-type: none"> <li>Necessary for performing a contract with you as the data subject;</li> <li>Compliance with the Firm's legal obligations in the context of recruitment and on-boarding;</li> <li>Necessary for the legitimate interests of the Firm. The specific legitimate interest(s) pursued by us and any relevant third party will be balanced with your interest and fundamental rights and freedoms in relation to the protection of your personal data. which include: <ul style="list-style-type: none"> <li>Assessing your suitability for employment/engagement with the Firm;</li> <li>Managing the Firm's business operations effectively; and</li> <li>Statistical analysis to review and benchmark the Firm's practices.</li> </ul> </li> </ul>	<p>One or more of the legal bases for processing listed in respect of Applicant Data plus one or more of the additional grounds listed below:</p> <ul style="list-style-type: none"> <li>Necessary to carry out the obligations and to exercise specific rights of the Firm or you in the field of employment and social security and social protection law as permitted by data protection law; and</li> <li>Necessary for reasons of substantial public interest as permitted by data protection law.</li> </ul>

### Use of Artificial Intelligence

The Firm may use Artificial Intelligence ("AI") technology to support the processing of personal data for the purposes referred to in this Notice. All such AI technology is subject to robust prior screening to ensure that it meets applicable ethical, legal and contractual requirements including in respect of data privacy and information security. The Firm has adopted appropriate policies and training for its workforce governing responsible use of AI technology to ensure that personal data remains adequately protected. In particular, the

use of AI to make decisions affecting individuals by solely automated means (including in a recruitment context) is strictly prohibited.

### **Categories of Recipients**

The Firm may disclose your personal data to third parties for the Processing Purposes as follows:

**Within the Baker McKenzie offices:** The Firm may disclose or otherwise allow other entities within Baker McKenzie International access to your personal data where necessary for the consideration and processing of your employment application (e.g., where the role you are applying for sits within one of the Firm's global business functions) or as necessary for the provision of general administration and business support services in connection with your application (e.g., technology, human resources, finance, legal compliance, etc.).

**With regulators, authorities, and other third parties:** In limited cases, personal data may be disclosed to third parties (e.g., regulators, courts or other competent authorities, external legal advisors, insurers, etc.) where necessary in connection with legal proceedings or defending legal rights.

**With External Service Providers:** Personal data may be shared with external service providers providing general administrative and business support services to the Firm and as necessary to facilitate the Processing Purposes. All service providers are subject to rigorous review from a data privacy and information security perspective as part of the vendor on-boarding process. The Firm adopts appropriate contractual and other measures in accordance with applicable laws to ensure personal data remains protected notwithstanding the use of external service providers.

### **International Data Transfers**

The recipients above may be located outside the European Economic Area ("**EEA**") in a country which is not regarded by data supervisory authorities as providing an adequate level of protection for personal data. To address this, the Firm has adopted appropriate contractual measures (incorporating the EU Standard Contractual Clauses) and other measures with external service providers and within Baker McKenzie International to ensure your data remains protected in accordance with applicable laws.

### **Retention Period**

The Firm will retain your personal data no longer than is necessary to achieve the purposes for which the information is collected. The Firm will hold your data for **6 months** unless there is a legitimate business reason or where applicable laws require us to hold it for a shorter/longer period.

### **Your Rights**

You have a number of rights in relation to your personal data which include the following (subject to exceptions):

- **Right of access:** You have the right to confirm whether your personal data is being processed and to request access to that personal data;
- **Right to rectification:** You have the right to rectify inaccurate or incomplete personal data which we process concerning you;
- **Right to erasure (right to be forgotten):** You have the right to request that we erase personal data concerning you in certain circumstances;

- **Right to restriction of processing:** You have the right to request that we restrict processing of your personal data;
- **Right to data portability:** You have the right to receive personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format and you may have the right to transmit that data to another entity; and
- **Right to object and rights relating to automated decision-making:** Under certain circumstances you may have the right to object at any time to the processing of your personal data, including profiling, by us and we can be required to no longer process your personal data.

To exercise your rights please contact us using the details outlined in the "Questions" section below. You also have the right to lodge a complaint with the competent data protection supervisory authority.

### **Questions**

For questions concerning your application, please contact: [lisa.kindl@bakermckenzie.com](mailto:lisa.kindl@bakermckenzie.com)

If you have concerns or questions regarding this Notice or if you would like to exercise your rights as a data subject, you can email: [lisa.kindl@bakermckenzie.com](mailto:lisa.kindl@bakermckenzie.com)