

JOBS POLICY - ONLINE
PRIVACY POLICY PURSUANT TO ART. 13 OF EU REGULATION 2016/679

1) Definitions

- 1.1 **Applicants:** individuals who, personally or in the name and behalf of their company, apply voluntarily and spontaneously to a Job Offer, or spontaneously contact Simmetrico to offer their availability for an interview for the purpose of establishing a Job Relationship.
- 1.2 **Company Profile:** cover letter and/or brochure regarding the Applicant's company sent to Simmetrico.
- 1.3 **Curriculum Vitae:** the curriculum vitae together with any cover letter presented and/or sent to Simmetrico by the Applicant or a third party authorized by the latter.
- 1.4 **Data Processors:** third parties that carry out processing activities and have sufficient guarantees to implement adequate technical and organizational security measures, as appointed by Simmetrico pursuant to Article 28 of the GDPR.
- 1.5 **GDPR:** EU Regulation 2016/679 of 27 April 2016.
- 1.6 **Jobs Policy:** this document provided pursuant to the GDPR.
- 1.7 **Job Offer:** announcement of a job proposal and/or collaboration published by Simmetrico.
- 1.8 **Job Relationship:** the relationship of employment and/or supply of services and/or collaboration established between Simmetrico and the Applicant (personally or by means of its company) following the positive outcome of the selection process.
- 1.9 **Personal Data:** any information relating to a natural person that is directly and indirectly identified or identifiable by reference to a name, identification number, location data, an online identifier or elements characteristic of his/her physical, physiological, genetic, psychic, economic, cultural or social identity.
- 1.10 **Processing:** any operation or set of operations concerning Personal Data, such as the collection, organization, structuring, preservation, modification, extraction, consultation, use, communication, interconnection, limitation, cancellation and destruction.
- 1.11 **Sensitive Data:** special categories of personal data pursuant to Articles 9 and 10 of the GDPR, which may reveal racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership and/or data relating to health, criminal convictions or offenses, as spontaneously communicated and/or entered in by the Applicant or detectable in the Curriculum Vitae or Company Profile.

2) Data controller

The Data Controller referred to in this Jobs Policy is Simmetrico S.r.l., with registered office in Milan (MI), 20144, Via Vincenzo Forcella no. 13, Tax Code/VAT number 05682780969 ("**Simmetrico**").

Any request by the Applicants concerning the Processing performed by Simmetrico on their Personal and/or Sensitive Data (including the exercise of the rights referred to in point 7) shall be communicated to Simmetrico by mail at its registered office, or by e-mail to amministrazione@simmetrico.it

3) Type of Personal Data, collection and processing methods

Simmetrico collects the Personal and Sensitive Data of Applicants in the following ways:

- a) Personal Data and Sensitive Data provided and/or expressly communicated by each Applicant to Simmetrico are: the Personal and/or Sensitive Data of each Applicant (and/or his/her family member) as directly and spontaneously provided to Simmetrico.
- b) Personal Data available from public sources are: the Personal Data of each Applicant available from sources accessible to the public and shared by the Applicant, e.g. through Internet sites.
- c) Personal Data and Sensitive Data provided by organizations or third parties involved in the Job Offer selection are: the Personal and Sensitive Data of each Applicant provided by temporary employment agencies.

Simmetrico processes Personal and Sensitive Data with both analogue and telematic means. The communication of Sensitive Data is not required for the purpose of applying to a Job Offer and/or when spontaneously sending a Curriculum Vitae or a Company Profile to Simmetrico. Any Sensitive Data provided spontaneously by Applicants of which Simmetrico should become aware will not be considered by Simmetrico for the purposes of evaluation of the Applicant and the potential establishment of the Job Relationship, without prejudice to the need for Simmetrico to collect the explicit consent of the Applicant in order to carry on such activities.

4) Purposes and legal grounds for the Processing

- a) Personal Data: Simmetrico collects and uses the Personal Data of Applicants to carry on the recruitment of Applicants. The collection of Personal Data for this purpose is necessary for the proper performance by Simmetrico of the Applicants' selection process. The consent of the Applicant to the Processing of Personal Data referred to in letter (a) is not required, as the processing activity is based on the exemption provided by Article 111 *bis* of the Italian Privacy Code (i.e. Legislative Decree No. 196/2003, as last amended by Legislative Decree No. 101/2018) for spontaneous applications sent by the data subject involved in the Processing.
- b) Sensitive Data: even if Simmetrico is not interested and does not take into account any Sensitive Data of Applicants for the purposes of carrying on the selection process aimed to the potential establishment of the Job Relationship, Simmetrico collects and stores any Sensitive Data of the Applicant, which are spontaneously provided by the latter in the Curriculum Vitae or in the Company Profile, solely for the purposes necessary to not prejudice/limit the possibility for the Applicant to participate in the selection process

(that would be the consequence in case of impossibility to use the Curriculum Vitae or the Company Profile containing Sensitive Data). Except in the event that the Processing of Sensitive Data of the Applicant is necessary to fulfill obligations in the field of labor law, social security or social protection pursuant to Article 9, paragraph 2(b) of the GDPR, this Processing is based on the explicit consent as freely given by the Applicant pursuant to Article 9, paragraph 2(a) of the GDPR by an express declaration (checking a I agree/I do not agree box) or, if applicable, signing this Jobs Policy.

5) Potential categories of recipients of Personal Data

Within the scope of the purposes indicated in the point 4, Personal and/or Sensitive Data are processed by Simmetrico and/or third parties selected for their reliability and competence, to which such data may be disclosed as necessary or appropriate, provided that they are within the European Union. Simmetrico informs the Applicants that Personal and/or Sensitive Data may be processed by and/or communicated to:

- a) employees and/or collaborators of Simmetrico in charge of managing the recruitment of Applicants;
- b) third party consultants to enable the establishment of the Job Relationship, such as tax and labor consultants who are appointed as Data Processors.

The Personal and/or Sensitive Data of the Applicants will not be disclosed to the public by Simmetrico.

6) Retention period of Personal Data (or criteria for its determination)

Personal and/or Sensitive Data are kept by Simmetrico for the period of time strictly necessary for the achievement of the purposes for which they were collected, as indicated in point 4 above. Simmetrico retains the Personal and Sensitive Data of the Applicants for the following periods of time, which vary depending on whether the Job Relationship is established or not:

- a) in the event of the establishment of the Job Relationship, for the duration of the Job Relationship itself and for 10 years following termination of the Job Relationship for any cause or reason;
- b) in the event of failure to establish the Job Relationship, for 24 months from the conclusion of the selection procedure for which the Applicant has sent his/her Curriculum Vitae or his/her Company Profile, or from the receipt by Simmetrico of the spontaneous job offer.

In order to allow Simmetrico to fulfill administrative, contributory, social security, insurance and tax obligations and any verification, exercise and defense of its own rights, even in a court of law, Simmetrico is authorized to keep Personal and Sensitive Data in full or in part for a period of 10 (ten) years from its collection, or for a longer period if the fulfillment of such

legal obligations or a dispute requires a longer term. Personal and Sensitive Data will be stored until the complete fulfillment of the obligations after the relative prescription period and/or until the conclusion of the legal case with a final judgment, and/or expiry of the term for any additional appeal (before Court of appeal or Court of Cassation).

Once these terms have elapsed, Simmetrico will automatically delete the Personal and/or Sensitive Data collected or provide for their irreversible transformation into an anonymous form.

7) Rights of the Applicant

Pursuant to and for the purposes of the GDPR, for the period referred to in paragraph 6 of this Jobs Policy, each Applicant has the right to:

- a) with reference to the Processing Activities referred to in point 4(a) and (b), revoke consent at any time without jeopardizing the lawfulness of the Processing performed previously, by sending an e-mail to Simmetrico to: amministrazione@simmetrico.it (see Article 7 of the GDPR);
- b) ask Simmetrico to access the Personal Data, Sensitive Data, and related Processing information and any copy in electronic format, unless specifically requested otherwise by the Applicant (see art. 15 of the GDPR);
- c) request the correction and/or integration of Personal and Sensitive Data without undue delay (see Art. 16 of the GDPR);
- d) request the deletion of Personal and/or Sensitive Data for specific reasons (such as unlawful Processing, non-existence of the purpose of the Processing), without unjustified delay (see Article 17 of the GDPR);
- e) request the limitation of Processing upon specific assumptions (such as the inaccuracy of Personal Data, unlawful Processing, exercise of a right in court) (Article 18 of the GDPR);
- f) for automated processing activities, to receive the Personal and Sensitive Data in a readable format for the purpose of communicating them to a third party, or, where technically feasible, requesting that Simmetrico send the Personal and Sensitive Data directly to such third party (so-called right to the portability of Personal Data - see Article 20 of the GDPR);
- g) be informed by Simmetrico without unjustified delay of any violations or unauthorized access by third parties to their systems containing the Personal and/or Sensitive Data (data breach - Article 34 of the GDPR);
- h) file a complaint with the supervisory authority of the EU country in which the Applicant has the residence, works or in which the violation of rights is believed to have occurred (see Article 77 of the GDPR).

For further information on the terms and conditions for exercising the rights granted to Applicants, the latter may consult the text of the GDPR published at the following [link](#) or contact Simmetrico in the forms provided for in point 2 of this Jobs Policy.