



Data Protection Declaration of the University of Vienna for applicants

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Thank you for applying for a position at the University of Vienna. The protection and security of your data is of the utmost importance to us. Therefore, we would like to take the opportunity to inform you about which of your personal data are collected when you submit your online application and for which purposes these data are used. Since legislative changes or changes to our internal processes may require an adjustment of this Data Protection Declaration, we ask you to consult it on a regular basis.

§ 1 Controller and scope

The controller according to the General Data Protection Regulation (GDPR) and other national data protection acts of member states as well as other statutory data protection regulations is:

University of Vienna
Universitätsring 1
1010 Vienna
E-mail: <mailto:dsba@univie.ac.at>
Website: univie.ac.at

This Data Protection Declaration is targeted at applicants and applies in addition to the general Data Protection Declaration of the University of Vienna, which is available online at <https://dsba.univie.ac.at/datenschutzerklaerung/> This Data Protection Declaration provides the information you need to understand how we process your personal data as part of your online application in a transparent way.

If the provisions in this Data Protection Declaration diverge from the provisions in the general Data Protection Declaration of the University of Vienna, the provisions in this Data Protection Declaration primarily apply. If there are additional data protection declarations or comparable provisions for a specific service, these special provisions have precedence over this Data Protection Declaration and over the general Data Protection Declaration of the University of Vienna.

§ 2 Data protection officer and contact persons

The controller has authorised the following external data protection officers:

- Daniel Stanonik and
- KINAST Rechtsanwaltsgesellschaft mbH law firm, represented by Karsten Kinast

They represent each other alternately.

If the rights of data subjects according to section 9 of this Data Protection Declaration (e.g. right to information, right to erasure, etc.) are asserted, the relevant requests or applications must be sent to dsba@univie.ac.at or via mail to:

University of Vienna
Attn. Data Protection Officer of the University of Vienna
Universitätsring 1
1010 Vienna

§ 3 What are personal data?

Personal data is individual information concerning personal or material details of an identified or identifiable natural person (data subject). These include, for example, information, such as your name, address, telephone number, date of birth and e-mail address. Information that cannot be linked to your person (or only involving a disproportionate effort), such as anonymised information, is not considered personal data.

§ 4 General information about data processing

a) Extent and purpose of data processing

As a general principle, we collect and use personal data of applicants only to the extent that is necessary for carrying out the relevant data processing activity as part of the application procedure. We collect and use personal data of applicants only according to a relevant legal basis in accordance with the GDPR, as specified in section 4, para. b) of this Data Protection Declaration. We may process personal data of applicants for the following purposes:

- 1) General processing activities to provide the online application environment:
 - a) Administration, provision, maintenance and operation of a careers page
 - b) Administration, provision and operation of an online application environment
 - c) Operation of a backend for the purpose of application management
- 2) Processing activities as part of the application procedure:
 - a) Viewing and evaluation of the online applications
 - b) Selection of suitable applicants
 - c) Communication with the applicants
 - d) Documentation of the application and selection procedure, including job interviews

- e) Preparation of proposals including the option of signing employment contracts in digital form
 - f) Export of data to other personnel management systems following successful recruitment
- 3) Processing activities as part of extended communication with applicants:
- a) Administration, provision and operation of a talent pool and/or a talent community
 - b) Creation, maintenance and storing of applicant profiles
 - c) Provision of information about suitable vacancies to individual applicants
 - d) Carrying out of e-mail campaigns
- 4) Other purposes of data processing:
- a) Other processing activities to fulfil our statutory obligations
 - b) Other processing activities to fulfil our legal mandate
 - c) Data analyses to improve the recruitment process

We collect and process the following categories of personal data as part of the application procedure:

- Master data:
 - First name
 - Last name o Forename
 - Gender
 - Date of birth (including year)
 - Addresses
 - Country of residence
 - Citizenship
 - Phone numbers
 - E-mail addresses
 - Social media profile names
- Authentication data:
 - User name
 - Password
- Application data
 - Education history
 - Current education
 - Highest-level degree
 - Information about education and professional experience
 - Information about previous employment
 - Information about your employment status

- Data about professional interests
- Data about the position
- Special skills
- Special knowledge
- Information about the academic career
- Documents and attachments, such as curriculum vitae, degree certificates, employer references, etc. and the information contained in them
- Information about references
- Data about the application, proposal and employment contract:
 - Information about the proposal (job advertisements)
 - Contract details

In addition, we collect and use the following categories of user data and metadata when you use our online application environment:

- IP addresses
- Time stamp including date and time
- Change log
- Uploads
- Accesses
- Technical communication data
- Data about telecommunications connections/contact history
- Data generated by the service
- Telemetry and diagnosis data
- Support data

b) Legal basis

We process personal data as part of this procedure based on the following legal permissions:

- General processing activities to provide the online application environment (section 4, para. a, sub-para.1) as well as processing activities as part of the application procedure (section 4, para. a, sub-para. 2) serve the processing of personal data for the purpose of initiating an employment contract or take place in the course of an already existing employment contract. If the processing of personal data is necessary to perform a contract to which the data subject is a party, article 6, para. 1, sub-para. b of the GDPR provides the legal basis. This also applies to processing activities that are necessary to take necessary steps prior to entering into a contract. If we process special categories of personal data as part of the application process, the processing is necessary for reasons of labour law or social law, for which article 9, para. 2, sub-para. b of the GDPR provides the legal basis, or the processing activity is subject to a legal exemption according to national law or European law, for which article 9, para. 2, sub-para. g of

the GDPR provides the legal basis.

o If users only have general access to generally available components within the online application environment (such as the careers page) without the need to log in, we only collect usage and metadata that may contain a personal reference. In this case, we do not collect data from applicants beyond these data categories. Therefore, exclusively and exceptionally for this case, article 6, para. 1, sub-para. f of the GDPR provides the legal basis for the processing activity.

- Processing activities as part of extended communication with applicants (see section 4, para. a, sub-para. 3) require the explicit consent of the data subject for the relevant purposes. Where processing is subject to the data subject's consent to the processing of their personal data, the legal basis for the processing is article 6, para. 1, sub-para. a of the EU General Data Protection Regulation (GDPR).
- Where processing of personal data is necessary for compliance with a statutory obligation to which the University of Vienna is subject (section 4, para. a, sub-para. 4), article 6, para. 1, sub-para. c of the GDPR provides the legal basis.
- Where processing of personal data is necessary for compliance with a legal mandate to which the University of Vienna is subject (section 4, para. a, sub-para. 4 and para. b), article 6, para. 1, sub-para. c of the GDPR provides the legal basis.
- Where processing of personal data is necessary for improving the recruitment procedure (section 4, para. a, sub-para. 4, and para. c), the processing activity serves the purpose of a legitimate interest pursued by the University of Vienna. After balancing the interests, it was determined that the interests, fundamental rights and freedoms of the data subject do not outweigh the legitimate interest pursued by the University of Vienna. Article 6, para. 1, sub-para. f of the GDPR thus provides the legal basis for the processing activity.

c) Erasure of data and storage period

Personal data of the data subject will be erased or blocked as soon as the purpose of the processing activity has been fulfilled. Furthermore, data may also be stored if specified by the European or national legislative authority in Union law regulations, laws, or other regulations to which the controller is subject. Personal data will also be erased or blocked when a storage period stipulated by one of the norms listed above expires, unless it is necessary to further store the data for the purpose of concluding or executing a contract.

The Federal Equal Opportunities Act (*Gleichbehandlungsgesetz, GIBG*) applies to the personal data of applicants (section 17, para. 1, sub-para. 1 of the GIBG, section 26, para. 1 of the GIBG as well as section 29 of the GIBG). Data subjects can assert claims in accordance with section 26, para. 1 and para. 5 of the GIBG in court within six months, so the University of Vienna will delete

the application data only after the seventh month following the end of the application process due to the court processing time until receipt of a written statement. In this case, the personal data are stored for the purpose of fulfilling the obligation to provide evidence in the course of asserting, exercising or defending legal claims (article 6, para. 1, sub-para. c of the GDPR; article 9, para. 2, sub-para. f of the GDPR if applicable). Therefore, the right to erasure in accordance with article 17, para. 3, sub-para. e of the GDPR only applies after the above-mentioned period has expired.

If the processing of personal data is based on consent in accordance with article 6, para. 1, sub-para. a of the GDPR, the relevant processing activity will be stopped with future effect if the data subject withdraws their consent, not affecting the lawfulness of the processing based on consent before its withdrawal. The personal data processed based on consent are erased immediately unless there is another legal basis for the processing activity (article 17, para.1, sub-para. b of the GDPR).

d) Categories of recipients of personal data

If we transfer personal data of applicants to individual persons, organisations or companies or grant them access to personal data in another way, this is based on your consent or on a statutory permission. If we instruct other individuals or companies to process your data (data processing in accordance with article 28, para. 3 of the GDPR) and transfer your data for this purpose, the processing is always carried out in accordance with our instructions and we remain responsible to you for the lawfulness of the processing. We may transfer/disclose personal data of applicants to the following categories of recipients:

- Technical service providers for the purpose of providing technical services, such as the implementation, operation and administration of the online application environment
- Personnel service providers for the purpose of providing support services in the application process, such as selection of qualified candidates, assessments, talent management or HR marketing
- Telecommunications service providers for the purpose of dispatching e-mails

§ 5 Use of cookies

We use so-called cookies. Cookies are small text files that are sent from our web server to your browser when you visit our websites. Your browser holds these cookies available on your computer for later retrieval. Cookies contain a characteristic string of characters that allows your browser to be uniquely identified when the website is accessed again. We use only so-called session cookies (also known as temporary cookies), i.e. cookies that are stored only temporarily (cached) for the duration of your visit to one of our websites.

The collected usage data do not allow for any conclusions regarding the user (except those cookies that serve the recording of data in connection with an active log-in). All usage data are collected in anonymised form; they will not be linked to your personal data and will be erased immediately after the end of the statistical analysis. All cookies are erased after termination of the session, i.e. as soon as you end your browser session.

The legal basis for the processing of data, subject to the user's consent, is article 6, para. 1, sub-para. a of the GDPR as specified in the cookie banner as well as the University of Vienna's legitimate interest in accordance with article 6, para. 1, sub-para. f of the GDPR, unless these are cookies necessary for the operation of the website.

In particular, the used cookies serve the purpose of analysing the frequency of use and the number of visitors to our online application environment. Furthermore, they are used to continue to identify your computer during a visit on our online application environment when surfing from one page to the next (e.g. from the careers page to a job advertisement to the online application form), and to establish the end of your visit. This allows us to determine which sections of our websites and which other websites our users visited.

The purpose of using technically necessary cookies is to simplify the use of websites for their users. Some features of our web presence cannot be provided without the use of cookies. To provide these functions, it is imperative to recognise your browser even when you have switched to a different page or have interrupted your visit.

The user data collected by technically necessary cookies are not used to create user profiles.

For further information about the cookies used as well as about their individual purposes, please see the cookie banner and the cookie information linked in the online application environment.

§ 6 Security measures for protecting data stored by the University of Vienna

We commit ourselves to protecting your privacy and treating your personal data strictly confidential. To prevent manipulation, loss or abuse of your personal data stored by us, we have implemented extensive technical and organisational security measures which are reviewed on a regular basis and updated in accordance with technological advances. These security measures include, among other things, the use of recognised encryption methods (TLS).

However, please note that due to the nature of the Internet, other persons or institutions outside our area of responsibility may not adhere to the rules of data protection and the security measures specified above. In particular, data that are revealed without encryption – for example, data transferred via e-mail – may be accessed by third parties. We have no technical influence on this. It is the applicant's responsibility to protect the data they provide against

misuse by means of encryption or other measures.

§ 7 Hyperlinks to third-party websites

On our websites, we place so-called hyperlinks to websites of other providers. Activating these hyperlinks will redirect you from one of our websites directly to the website(s) of the other provider. For example, you can recognise this by the change of the URL. Since it is beyond our scope of influence whether third parties adhere to the data protection regulations, we cannot assume any responsibility for the confidential handling of your data on the websites of third parties. For information about the handling of your personal data by these companies, please refer directly to the respective companies' websites.

§ 8 Right to object

Regarding the processing of your personal data based on the legitimate interest of the University of Vienna in accordance with article 6, para. 1, sub-para. f of the GDPR, you have the right to object to the processing of your personal data on grounds relating to your particular situation and/or to object against the use of your personal data for direct marketing purposes. In case of direct marketing, you have a general right to object which we will enforce without you having to specify a particular situation. Please contact us at dsba@univie.ac.at or at the e-mail address specified for the relevant processing activity.

§ 9 Your rights as a data subject

The GDPR specifies the following rights for data subjects regarding the processing of personal data:

- In accordance with article 15 of the GDPR, you have the right to obtain information from us about the personal data we are processing. In particular, you have the right to obtain information about the purposes of the processing, the categories of personal data concerned, the categories of recipients to whom the personal data have been or will be disclosed, the envisaged period for which the personal data will be stored, the existence of the right to request the rectification or erasure of your personal data or restriction of processing your data or to object to such processing, the right to lodge a complaint with a supervisory authority, the source of personal data collected about but not from you, the transfer of your data to third countries or international organisations, as well as about the use of automated decision-making, including profiling and, if applicable, meaningful information about the logic involved.
- In accordance with article 16 of the GDPR, you have the right to request from us the

rectification of inaccurate personal data concerning you and to have incomplete personal data completed.

- In accordance with article 17 of the GDPR, you have the right to request from us the erasure of personal data concerning you, unless the processing is necessary for exercising the right of freedom of expression and information, for compliance with a legal obligation, for reasons of public interest, or for the establishment, exercise or defence of legal claims.
- In accordance with article 18 of the GDPR, you have the right to request the restriction of processing of personal data concerning you, if you contest the accuracy of the personal data, if the processing is unlawful, if the University no longer needs the personal data, and if you oppose the erasure of the personal data because they are required for the establishment, exercise or defence of legal claims. Your right pursuant to article 18 of the GDPR also applies if you object to the processing in accordance with article 21 of the GDPR.
- In accordance with article 20 of the GDPR, you have the right to receive the personal data which you have provided to us in a structured, commonly used and machine-readable format and to transmit those data to another controller.
- In accordance with article 7, para. 3 of the GDPR, you have the right to withdraw your consent to the processing of your data at any time. Consequently, the University of Vienna may no longer continue the data processing based on this consent in future.
- In accordance with article 77 of the GDPR, you have the right to lodge a complaint with a supervisory authority. In general, you can lodge a complaint with the supervisory authority in your habitual residence, your place of work or our registered place of business. In Austria, the responsible supervisory authority is the Data Protection Authority, Barichgasse 40-42, 1030 Vienna, Telephone: +43 1 52 152-0, E-mail: dsb@dsb.gv.at, Website: dsb.gv.at.