

PRIVACY NOTICE FOR EMPLOYEES AND PERSONS IN THE RECRUITMENT PROCESS

In this Privacy Notice, we, the Swiss and Liechtenstein companies of the Treuco Group ("Treuco"), explain how we collect and process your personal data in connection with the recruitment process or employment relationship. This Privacy Notice is not an exhaustive description. If necessary, we will inform you about further processing, e.g. in separate contracts or via instructions.

This Privacy Notice is designed to meet the requirements of the Swiss Federal Act on Data Protection ("FADP"), the EU General Data Protection Regulation ("GDPR") as well as the Liechtenstein Data Protection Act ("LI-DPA"). However, whether and to what extent these laws apply to the processing of your personal data depends on the individual case. "ABGB" refers to the Liechtenstein General Civil Code.

1. Identity and contact details of the controller

Treuco AG, Claridenstrasse 25, 8002 Zurich, is “controller” of the data processing in connection with an application or employment with a Treuco company in Switzerland.

Treuco (FL) AG, Austrasse 15, 9495 Triesen, is “controller” of the data processing in connection with an application or employment with Treuco (FL) AG.

You can send your data protection-related questions and/or requests to the following address: dataprotection@treuco.ch.

2. Collection and processing of personal data

2.1 Definition of personal data

The term "personal data" refers to all information relating to an identified or identifiable natural person ("**data subject**").

2.2 Direct collection from data subjects

We primarily process personal data that we receive from you as part of the recruitment process or in connection with the performance of the employment relationship with you.

If you provide us with personal data of other persons (e.g. family members, former employers, references, work colleagues etc.), please make sure that these persons are aware of this Privacy Notice and only share their personal data with us if you are allowed to do so and if this personal data is correct.

2.3 Indirect collection from third parties

To the extent permitted, we obtain certain personal data from publicly accessible sources (e.g. debt collection registers, criminal register, commercial registers, business networks such as LinkedIn or XING) or we obtain such information from authorities or other third parties (e.g. labour offices, references, recruitment agencies and recruitment agencies, insurance companies, pension funds).

We only process personal data that is relevant for assessing your suitability for a position at Treuco (e.g. personal details, contact details, curriculum vitae, references and qualifications) or for carrying out the employment relationship (e.g. details of marital status and family situation, AHV number, bank details and references). This may vary depending on the function you perform within Treuco.

Apart from the personal data that you disclose to us directly (see Section 2.2), the categories of personal data that we receive about you from third parties include, in particular, information about

- any debt collection proceedings or previous convictions according to the debt collection or criminal register;
- your application (e.g. CV, qualifications, references);
- your previous professional functions and activities (e.g. reference);
- your state of health (e.g. insurance documents);
- any administrative or judicial proceedings.

3. Data processing

3.1 Purposes of data processing

We process your personal data if and to the extent that this is necessary for the assessment or performance of the employment relationship. This includes, among other things, assessing your application dossier, obtaining references, keeping your personnel dossier, carrying out payroll accounting, handling insurance cases, career planning, expense accounting, performance appraisals, training and further education etc. If you make use of additional benefits (e.g. in the area of pension provision), your data will also be processed for the implementation of these additional benefits.

We also process your personal data to comply with legal obligations such as the duty to record working hours, documentation obligations in relation to social security law and tax law, compliance with the applicable financial market legislation and risk management within Treuco.

In addition, we may process personal data about you and other persons, to the extent permitted and as we deem appropriate, in particular for the following purposes in which we (and, as the case may be, third parties) have a legitimate interest:

- marketing activities and publications (e.g. creation and placement of your profile on our website or intranet, in brochures as well as in social media, etc.);
- human resources development measures;
- measures in the event of restructuring;
- employee surveys and statistics;
- internal communication (e.g. HR mutations, anniversaries, telephone lists, events);
- assertion of legal claims and defence in connection with legal disputes and proceedings;
- prevention and investigation of criminal offences and other misconduct (e.g. conducting internal investigations, data analysis to combat fraud);

- ensuring the functionality and security of our operations, in particular IT, our websites and any apps and other platforms;
- video surveillance to safeguard house rights and other measures for IT, building and facility security as well as for the protection of our employees, customers and other persons as well as assets belonging to or entrusted to us (e.g. by means of visitor lists, access controls, network and mail scanners, telephone recordings);
- acquisition and sale of business divisions, companies or parts of companies and other transactions and the related transfer of personal data as well as measures for the business management of Treuco.

3.2 Legal Bases

Within the scope of the applicability of the **FADP**, we are generally not required to have a justification or legal basis for the processing of your personal data.

If we are required to have a legal basis due to the applicability of the **GDPR**, we generally base the respective processing on one of the following legal bases, which usually also corresponds to the purpose according to section 3.1:

- fulfilment of a contract or performance of pre-contractual measures (Art. 6 para. 1 let. b GDPR). Insofar as this is necessary for the assessment or performance of the employment relationship, we may in particular also process data on criminal convictions and offences (§ 1173a Art. 28a para. 1 let. a and b ABGB);
- necessity to comply with a legal obligation (Art. 6 para. 1 let. c GDPR or § 1173a Art. 28a para. 1 let. c ABGB);
- safeguarding of overriding legitimate interests (Art. 6 para. 1 let. f GDPR);
- exceptions for the processing of special categories of personal data, such as health data, information on trade union membership, data on criminal convictions and offences (Art. 9 para. 2 GDPR). We may process such data in particular if this is necessary for the exercise of rights or the fulfilment of legal obligations under labour law, social security law and social protection law (§ 1173a Art. 28a para. 2 let. a ABGB).

In exceptional cases (e.g. for the longer retention of your application documents or the publication of employee photos on our website), we may also rely on your consent (Art. 6 para. 1 let. a GDPR; Art. 6 para. 6 FADP). Insofar as you have given us consent to process your personal data for specific purposes, we process your data within the scope of and based on this consent, unless we have (and are required to have) another legal basis. You may revoke your consent at any time by sending an e-mail to the address indicated in Section 1, which, however, has no effect on data processing that has already taken place.

4. Data transfer

Within our company, your personal data will be disclosed to those who need it to fulfil our contractual and/or legal obligations, such as the HR department or the management. We may disclose your personal data with third parties in the course of our business activities and in pursuit of the purposes set out in Section 3.1. These third parties process your data either on our behalf and according to our instructions (“processors”) or on their own responsibility. These third parties are in particular the following bodies:

- domestic and foreign companies of the Treuco Group (e.g. for purposes of central personnel and/or IT administration);
- service providers (e.g. payroll accountants, IT providers, cloud providers, marketing and web hosting agencies);
- authorities and official agencies (e.g. social insurance institutions, tax, labour and migration offices);
- pension funds and other provident institutions;
- health and accident insurance;
- banks and other financial institutions;
- customers and business partners;
- domestic and foreign authorities or courts;
- public, including users of our websites and social media;
- potential acquirers of our companies or parts thereof;
- parties and other participants in proceedings.

together "**recipients**".

5. Data abroad

The recipients pursuant to Section 4 are generally located in Switzerland or in the Principality of Liechtenstein but may also be located abroad in exceptional cases.

If a recipient is located in a country without adequate statutory data protection, we oblige the recipient to comply with the applicable data protection law by concluding the standard contractual clauses (available at: https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?) – if necessary with the required adaptations according to FADP – unless the recipient is already subject to a legally accepted set of rules to ensure data protection and we cannot invoke an exception (e.g. legal proceedings abroad, overriding public interests, necessity for contract performance, consent of the data subject).

6. Duration of the retention of personal data

We process and retain your personal data as long as it is necessary for the fulfilment of our contractual obligations and compliance with legal obligations or other purposes pursued with the processing.

In connection with your *application*, we generally retain your personal data for the duration of the recruitment process and 5 months beyond the end of the recruitment process. We reserve the right to retain your data for a longer period with your consent (e.g. in order to consider you for another vacancy). If your application leads to an employment relationship with us, your application documents will be transferred to the personnel file; in this case, the following shall apply.

In connection with your *employment*, we generally retain your personal data for the duration of the employment relationship and ten years beyond the termination of the employment. Exceptions apply if the law provides for a longer retention period, retention is necessary for evidentiary reasons (e.g. due to ongoing or impending legal proceedings) or there is another exceptional reason. An exception also applies if earlier deletion is indicated. For operational and security-relevant data, shorter periods usually apply. After the retention period has expired, your data will be deleted or made anonymous.

7. Data security

We take appropriate technical and organisational measures to protect your data from loss and unauthorised access and misuse. These include employee training, IT and network security solutions, access controls and restrictions, encryption of data carriers and transmissions, pseudonymisation of personal data (e.g. in the context of data transfers to service providers) and regular checks.

8. Obligation to provide personal data

Within the scope of our business relationship, you must provide the personal data required for the commencement and performance of an employment relationship and the fulfilment of the associated contractual obligations. Without this data, we will generally not be able to consider your application or provide certain services within the scope of the employment relationship.

9. Your rights

To the extent provided for in applicable data protection law, you have the right to access, rectification and erasure of your personal data, the right to restrict data processing as well as the right to object to processing, in particular that for the purposes of direct marketing, and other legitimate interests in processing as well as the right to receive certain personal data for the purpose of transfer to another controller. Please note that we reserve the right to enforce the restrictions provided for by law, for example if we are obliged to retain or process certain data, if we have an overriding interest or need the data to assert claims. If costs arise for you (e.g. in the case of complex access requests), we will inform you in advance. We have already informed you about the possibility to withdraw consent in Section 0. Please note that exercising your rights may contradict our contractual agreements and this may have consequences such as premature termination of the contract.

The exercise of such rights usually requires that you clearly prove your identity by providing us with a copy of your ID. To exercise your rights, you can contact us at the address indicated in Section 1.

As a data subject, you also have the right to enforce your claims in court or to file a complaint with the competent data protection authority.

- The competent data protection authority in Switzerland is the Federal Data Protection and Information Commissioner;
- The competent data protection authority in the Principality of Liechtenstein is the Data Protection Authority.

10. Amendments

We may amend this Privacy Notice at any time without prior notice. The current version published on our intranet or website shall apply.

Version valid from 1 September 2023