

Data Protection Regulations

For applicants and employees of Graz University of Technology

In order to facilitate a transparent processing of your data and to fulfil the requirements of the current legal regulations, in particular the increased information obligations (General Data Protection Regulation GDPR of the European Union and the Austrian Data Protection Act DSG), this document provides all relevant information about the processing of your personal data carried out by Graz University of Technology.

Applicant Data

Data Collection

In the course of your application, we are collecting the following personal application data from you, which we store and process electronically:

- Your contact information (e.g. name, address, e-mail address, telephone number).
- Your application documents (e.g. application letters, attachments, etc.).
- Your CV.
- Information about the job for which you applied (e.g. position, scope of work, place of work, salary, skills and experience required).
- Information about your previous work experience and employment (e.g. company, location, department, position, function, starting date, full-time or part-time employment, working hours).
- Information about your professional education (e.g. educational level, related skills, degrees or certificates).

Purpose of Data Collection / Transfer

We use your data to manage your application, to facilitate a possible recruitment process and, if necessary, to administer an employment relationship arising from it. The decision-making process includes written or electronic communication with the applicants, the evaluation of the application documents, the involvement of the organisational units and interest groups (Working Group for Equal Opportunities, Work Council, ...), the organisation and implementation of aptitude diagnostic tools (e.g. job interviews, assessment centres), the evaluation of the results of these aptitude diagnostics, the creation of a closing notation and the sending of rejections or hiring notices along with the associated creation of a personnel file.

Personal application data is collected and processed in order to fill positions within Graz University of Technology. In principle, your data will only be forwarded to in-house offices and organisational units of Graz University of Technology responsible for the respective application process. Your personal application data will not be passed on to other organisations or companies without your express prior consent. If necessary, the application documents may also be passed on to external

personnel consulting companies, provided that Graz University of Technology has asked for their support in a selection process. Beyond this, your application data will not be used or passed on to third parties.

If your skills profile may also be of interest for other positions at Graz University of Technology, we will contact you and ask for your consent to forward your personal data. If you do not wish to be contacted in such a situation, please inform us in writing.

Data Storage for Future Job Vacancies

If we are unable to offer you an employment position at the current time but, on the basis of your profile, believe that your skills may be of interest for future job vacancies, we will notify you that we will save your personal application data for twelve months and that we may contact you again if necessary. You will be added to the list of potential employee candidates with your written consent.

Type of Data Storage

Your submitted application documents will be stored electronically or kept in the organisational unit that posted the application in the case of documents in paper form.

In the event of a job interview or other aptitude diagnostic tools, parts of your answers along with assessments of these answers will be documented and stored digitally and/or in paper form.

Your data will be treated as confidential and will only be stored and processed as part of your application process. Access to the data collected throughout the selection process is only granted to the organisational unit or the responsible HR department involved in the selection process, including the respective interest groups.

Data collected in the application process of accepted future employees is moved to a personnel file managed by the responsible HR department.

Retention Period of Application Data

In General, your personal application data will be deleted seven months after the application process has been completed. This retention period does, however, not apply if statutory provisions prevent deletion, further storage is necessary for the purpose of providing evidence or if you have expressly consented to a longer retention period in order to be added to the list of potential employee candidates. The following data is stored in our systems for three years from your last application and then deleted:

- First name, surname and academic degree
- Date of birth

- Application date
- Reason for the application

Data Security

Authorised personnel who are allowed to access your personal data are obliged to maintain data secrecy and the confidentiality of your personal data. Furthermore, appropriate technical and organisational measures are taken to protect your personal data, in particular from accidental, unauthorised or unlawful destruction or loss, alteration and disclosure.

Person Responsible

The person responsible for data processing is Graz University of Technology, Rechbauerstraße 12, 8010 Graz.

Data Protection Official

The Graz University of Technology Data Protection Official is x-tention Informationstechnologie GmbH, Römerstraße 80A, 4600 Wels, Austria.

Rights of Persons Affected

If you have any questions about the collection, processing or use of your personal data, or you wish to exercise your right to information, correction, restriction of processing, objection and deletion of your personal data, or you wish to revoke your consent or file a complaint, please contact datenschutz@tugraz.at.

Furthermore, you also have a right of appeal to the Austrian Data Protection Authority.

Staff Data

Data Processing

Graz University of Technology processes all personal data you provide as part of the run-up, conclusion and administration of your employment relationship, e.g. in your CV or in the data sheet, as well as personal data that arise due to the employment relationship (e.g. salary data, absences, contracts, ...).

General Data Processing in the Context of an Employment Relationship

Your personal data is processed and transmitted for the purpose of payroll accounting, personnel planning and compliance with obligations to keep records, to give information, and to report, insofar as this is required by law or norms of collective legal arrangements or contractual obligations. This also includes text documents (such as correspondence) that are created and archived automatically in these matters. Such data processing is a prerequisite for the correct handling of your employment relationship and for the fulfilment of all legal obligations of Graz University of Technology.

Your personal data will only be transmitted to recipients outside of Graz University of Technology on the basis of statutory provisions or contractual agreements, in particular to:

- Labour inspectorate (e.g. § 8 Labour Inspection Act ArbIG)
- Labour Market Service (e.g. § 26 (1) Foreign Nationals Employment Act AuslBG)
- Occupational medicine (e.g. § 58 Employee Protection Act ANSchG)
- Company provident fund (e.g. § 13 Company Employee and Self-Employed Pension Act BMSVG)
- Federal Office of Social Affairs and Disabilities Matters (Social Ministry Service) (e.g. Art. 2 § 16 Disability Employment Act BEinstG)
- Austrian Federal Computing Centre (as a processor) (provision of the payroll processing system)
- Austrian Federal Tax Office (e.g. § 87 Income Tax Acts EStG 1988)
- Funding provider of third-party funded research projects (in the case of (partial) funding of the employment relationship from funds provided by third party) (contractual obligation to provide evidence of personnel costs)
- Local authorities and district administrative authorities in administrative police agendas (e.g. responsibilities acc. to Employee Protection Act ANSchG)
- Courts (e.g. § 301 Attachment and Foreclosure Law EO)
- Legal advocacy groups (e.g. inquiries based on the Working Group for Equal Opportunities AKG)

- Creditors of the person concerned as well as other parties involved in any legal prosecution associated therewith, also in the case of voluntary salary-backed claims
- Providers of primary and further education (e.g. personal registration data when booking courses)
- Apprenticeship position acc. to § 19 Apprenticeship Act BAG and vocational schools
- Banks dealing with the payment to the person concerned or to third parties (e.g. salary transfer)
- Representatives of company interests (in particular the Work Council and representatives for work safety, youth and disabled persons) (e.g. § 89 Labour Constitution Act ArbVG)
- Pension funds (e.g. through works agreement, pension fund contract)
- Legal representative (e.g. if there is a difference in legal opinion between employer and employee)
- Court of Auditors (e.g. § 15 Universities Act UG)
- Social insurance carriers (e.g. § 33 General Social Insurance Act ASVG)
- Statistik Austria (e.g. § 9 Federal Statistics Act)
- Tax accountant (e.g. relocation benefit § 103 Income Tax Acts EStG)
- Insurance companies within the framework of an existing collective or individual insurance (e.g. personal data of insured employees)
- Electoral board for Work Council elections (e.g. § 55 Labour Constitution Act ArbVG)
- Auditors (e.g. § 16 Universities Act UG)
- Responsible ministries (e.g. §§ 14 Z 6 in conjunction with 21 § 1, 30 § 1 and Appendix 9 of the Ordinance on University and Higher Education Statistics and Education Documentation UHSBV)

Unless otherwise specified, no personal data will be transferred to a third country.

Data Processing in the Legitimate Interest of Graz University of Technology

In addition to fulfilling legal and contractual obligations, personal data may also be processed on the basis of a weighing of interests. Processing is permitted on the basis of a legitimate interest of Graz University of Technology, unless there are overriding interests on your part (see Rights of Persons Affected):

- Copy of the passport or identity card for the purpose of identity verification and subsequently to prove the correct spelling of the name when concluding the contract.
- Provision of professional contact details and responsibilities in the intranet of Graz University of Technology or in TUGRAZonline for the purpose of facilitating contact by colleagues.

- Transfer to the relevant service provider in the course of tax law and legal counselling, other counselling and IT services.
- Data processing for IT administration: Processing of your corresponding data, e.g. User ID (e.g. IP address, username), allocation of hardware and software, access data and log files (e.g. locking system – user, time), to facilitate compliance with applicable data security regulations and to maintain the administration and security of our systems.
- Processing of telephone system connection data (e.g. dialled number and duration of outgoing external calls to check the billing of telephone costs).
- Processing in the context of legal prosecution for the defence and assertion of legal claims, especially data processing in the event of labour disputes, including transmission to legal representatives and courts.
- Processing of your license plate number to issue parking accreditations and for electronic access to parking areas.

Data Processing in the Public Interest / Statistics and Research

Since Graz University of Technology is an educational institution under public law and must therefore fulfil legally assigned tasks within its sphere of activity, personal data may be processed for the following purposes to safeguard the public interest of Graz University of Technology or a third party:

- Publication of professional contact details of academic staff (e.g. website) for the purpose of better networking among academically active people, facilitating contact by students (including from other universities) and informing the public about the university's activities.
- Publication of professional contact details of general university staff for the purpose of facilitating contact by students, suppliers, cooperation partners, specialist colleagues, etc.
- Partial transfer of data to project-leading cooperation partners in accordance with the requirements of the funding contract (e.g. checking of salary accounts by funding providers) for the purpose of managing funded projects.
- Transfer of data for research and statistics purposes (e.g. R&D Statistics Ordinance, course accompanying discussions – tracking of professorships and equivalents).

Data Processing Based on Your Consent

Any processing of data that requires your explicit consent is strictly limited to a specific purpose and (unless, in exceptional cases, it is based on another justification) only as long as your consent is not revoked. All consent given can be withdrawn independently on a case-by-case basis at any time effective immediately and from that moment on. If you withdraw your consent, we can no longer process your data from this point in time for the stated purposes, therefore, the corresponding rights, benefits, etc. can no longer be claimed (see Rights of Persons Affected).

- **Religious denomination:**
You must voluntarily and consensually provide information about your religious denomination if you wish to take advantage of the corresponding rights in connection with your information (e.g. additional holiday regulation according to universities' collective contract).
- **Union membership:**
You must voluntarily and consensually provide information about your union membership if you pay the union fee via Graz University of Technology.
- **Disability status:**
You must voluntarily and consensually disclose any disability claims or provide a copy of the disability assessment to be recognised in order to ensure your legal claims arising from such a disability.
- **Spouses and life partners, children:**
You must voluntarily and consensually provide information such as your full name, date of birth and nationality in order to claim legal and tax benefits (e.g. care leave, family bonus, ...).
- **Data in connection with voluntary social benefits and continuing education offers:**

The granting of voluntary social benefits or the voluntary participation in continuing education programmes at Graz University of Technology may have a disclosure and subsequent processing of data as a prerequisite.
- **The publication of your photo on the homepage as well as on the intranet or in TUGRAZonline is voluntary at Graz University of Technology.** You may upload your photo to your business card yourself and decide in the settings whether it shall be visible university-internally and/or university-externally.

- The provision of IT services may require transmission of data to IT service providers (partly third-country transmission) (e.g. for software registration).
- Personal data such as your clothing and shoe size is required for the issue of work clothing or protective clothing.

Duration of Storage

Your personal data will be processed for as long as the respective purpose requires, as well as for the duration of statutory retention periods, in particular the Federal Tax Code (e.g. § 132 (1) BAO: 7 years) and labour law regulations (e.g. § 4 (5) Vacation Act UrlG: 2 years). A retention period of 30 years after termination of the employment relationship (§ 1478 Civil Code of Austria ABGB) is required for your personal file. Furthermore, data that is worth archiving is also transferred to the University Archive in accordance with the Federal Archives Act BarchG.

Rights of Persons Affected

- You have a right to information in order to check whether and if so which of your personal data we have stored;
- a right to correction/completion of any of your personal data that is incorrect or incomplete;
- a right to deletion of your personal data, provided there are no legal obligations to the contrary;
- a right to restriction of processing of your personal data;
- a right to data portability;
- a right to free withdrawal of a given consent with effect for the future; i.e. the processing of the data concerned is – unless there is another justification – inadmissible from this point in time;
- a right to objection if the processing of your data by Graz University of Technology is based on an overriding legitimate interest or on a public interest;

To exercise your rights, please visit <https://datenschutz.tugraz.at/dsgvo/rechte/>.

Person Responsible

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Data Protection Official

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Right to Information and Withdrawal

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Furthermore, you also have a right of appeal to the Austrian Data Protection Authority.