



## Introduction

This document describes rules and regulations regarding protecting Personal Data of people working for or with Portwise. This concerns people that work for Portwise as employee, or that are hired as external employee to work on projects with Portwise.

This document considers regulations as defined by law (GDPR or in Dutch: AVG / Algemene verordening gegevens-bescherming) as well as agreements on how to deal with Personal Data within Portwise.

Portwise, from now on referred to as 'we', has the general responsibility for our staff's Personal Data, from now on referred to as 'you', where we act as **data controllers**. Under some situations, third parties may be the data controllers by our request, as explained in more detail in this document.

We place the highest priority on protecting the integrity of your Personal Data. We process your Personal Data in accordance with all applicable laws and regulations. In most cases, Dutch law applies, but in certain situations another law may be applied.

This Data Protection document provides you with general information on the processing of your Personal Data by us, in connection with your employment relationship you have with us, from now on referred to as '**Agreement**'.

Please read this document carefully prior to committing to the employment relationship. By committing to the Agreement, and/or by submitting (directly or indirectly) your Personal Data to us in connection with the Agreement, you express your understanding to the processing of your data in the manner provided in this document. Please note, that absence or non-availability of your Personal Data prevents or may prevent us from committing to the Agreement from our side.



# 1. Data Collection and Process

## 1.1 Data content

Basic Personal Data consists mostly of your name, contact details as well as organisational and job-related details. When providing us with information about a third party (such as your family members as emergency contacts), you are responsible for ensuring that you have attained all such third-party consents required for providing us with the information. You are also responsible to inform such third parties regarding their right to withdraw the consent by contacting us with the contact information provided in the description.

In addition, we may collect also other types of data that are necessary for the Agreement. Detailed information concerning the types and processing of data is available in this document. We collect also certain data belonging to special categories ("Sensitive Personal Data", such as Personal Data revealing racial or ethnic origin, religious or philosophical beliefs, or concerning health) to enable security measures and business processes and to ensure compliance with any mandatory legal requirement. As the case may require, we shall request your express consent to processing of such Sensitive Personal Data.

Furthermore, if you use our IT systems or portals, we may automatically track certain Personal Data concerning you, such as the IP address, the source of visit and the type of your web browser even prior to explicitly requesting any of your Personal Data described above.

We may collect and process the following types of data:

1. Identification and general Personal Data, including but not limited to 'NAW-gegevens', such as:
  - Full name
  - Preferred name
  - Date of birth
  - Gender
  - Marital status
  - Salutation / Title
  - Nationality
  - Languages
  - Bank account and other bank details
  - Credit card number and validity
  - Addresses
  - Telephone numbers
  - Email addresses
  - Social security number / personal identification number
  - Job title
  - IT system access rights and log information



- Pictures
  - Miscellaneous employment related personal information (e.g. open text in cv)
  - Last data processing activity (time stamp)
  - Employment related data consents (if applicable)
  - Other local information required by mandatory laws
2. Employment and organizational details such as:
    - Employer company name and details (e.g. cost center, employee grouping information)
    - Contract type and conditions (e.g. base salary, incentives, benefits, leaves)
    - Employment lifecycle changes
    - Family information (International assignments benefits, emergency contacts)
    - Objects on loan
    - NDA status and details
  3. Performance management:
    - Personal targets, achievements and performance
    - Personal development plan and evaluation
  4. Information related to occupational health, accidents, injuries and diseases
  5. Learning management information (e.g. attended courses)
    - Recruitment and talent management information
    - Candidate profile
    - Education and previous employers
    - Video interview
    - Assessment
  6. Travel related information
    - Travel profile (e.g. passport details, travel preferences, frequent flyer cards)
    - US TSA identity numbers (if applicable)
  7. Files (attachments) related to employment.

## 1.2 Data Collection

Committing to the Agreement between you and us, requires you to personally provide us with certain Personal Data. Besides the utilization of computerized data collection methods, it is also possible that all or certain data concerning you is collected interactively from you (e.g. in a physical meeting or phone call).

In addition to collecting data from you personally, we may collect your data also from any public sources, third parties designated by you, our own employees and/or other persons providing services for us (such as trainings or assessments). As the case may require, we shall request your express consent to such data collection from third parties.

Applicable laws determine whether your replies to the questions presented by us (data controller) are obligatory or voluntary, as well as the possible consequences of failure to reply properly. We shall provide this information to you when questions are presented.



### 1.3 The Purpose of processing

Processing of your Personal Data by us is based on:

- The Agreement existing between you and us.
- Mandatory legal obligations of us, the data controller.
- Legitimate interests pursued by the data controller, such as:
  - Possibility to conduct justified and legitimate business according to applicable legislation
  - Ability to offer employment opportunities for our employees.
  - Ability to offer services to our clients.
  - Ability to request services from our partners.

We process your Personal Data only in connection to the Agreement. Therefore, the primary purposes of processing your Personal Data are:

- To fulfill our human resource activities, and our responsibilities and obligations towards you, other data subjects (e.g. our accountant, health care provider, customers) and authorities
- To provide IT services and support necessary for the Agreement.

In detail, the purposes for processing and use of the Personal Data include the following items:

- Personal and employment data management (incl. document management)
- Organizational and job structures management
- Performance management
- Rewards management
- Learning management
- Payroll
- Recruitment and talent management
- Management of occupational accidents, injuries and diseases
- Health management
- Insurance management
- Reporting and analytics
- Enabling business processes (e.g. sales and marketing)
- Enabling support functions, such as identity management activities
- Enabling support for employment related recreational activities
- Fulfilling of employer duties, employment matters and rights of employees and employers.

You Personal Data will not be used for any other purpose than described above, and only the minimum required data per case will be used.

### 1.4 Disclosures and Transfers of Personal Data

We do not generally disclose any Personal Data outside our company unless required by the law (typically, disclosures to authorities). However, as an exception, your Personal Data may be disclosed in limited manner to our business partners (such as travel agencies, airlines and accommodation providers – also called data controllers with regard to this topic) when arranging business travels. We



may transfer your Personal Data within the company or to third parties (e.g. subcontractors) who process Personal Data for us for the purposes described in this Document. In this way, we do not generally release the Personal Data from our effective control.

Due to technical and practical requirements, your Personal Data may be processed in locations other than the country in which you are situated, including locations outside the European Union or European Economic Area (incl. Switzerland). Therefore, countries to which your personal information may be sent to or accessed from may have a different standard of data protection than the country in which you are situated. However, in all such cases, the processing of Personal Data shall be in accordance with applicable legislations (e.g. justified by EU Commission standard contractual clauses) and our data processing policies and instructions. We may also share your personal information with a purchaser or potential purchaser of our business – in such a case we will share only smallest possible amount of information and always in the limits of applicable legislation.

We may provide aggregate statistics about our employees and processes to reputable third parties, but these statistics are anonymized and will not include your Personal Data.

## **1.5 Retention Period**

Generally, we retain your Personal Data at the most for ten (10) years after the termination of our Agreement, unless otherwise required by any applicable mandatory legislation.

Additionally, as the case may require, data controllers may have to extend Personal Data retention on the grounds of establishment, exercise or defense of legal claims or execution of internal investigations. This retention period is justified due to fulfillment of employer obligations and your employee rights, needs related to e.g. product and service warranties as well as burdens of proofs in possible litigation situations.

## **1.6 Your Rights**

Under certain circumstances, you have the right to object the processing of your Personal Data. To use the right to object processing, you should contact the below mentioned contact persons either electronically or in writing. However, the request may be declined where allowed or required under law.

You also have the right to:

- Gain access to your Personal Data
- Verify the accuracy of your Personal Data
- At your request, have your incomplete, inaccurate, or outdated Personal Data modified or erased
- Have your Personal Data to be deleted by us, if:
  - Keeping the data is no longer necessary in relation to the purposes of data processing,
  - You have objected to the data processing and there are no overriding legitimate grounds for the data processing,



- Personal Data has to be erased for compliance with a legal obligation in EU or member state law to which data controller is subject,
  - The Employee Data has been unlawfully processed by us.
- Restrict the processing of your Personal Data, if:
  - You contest the accuracy of the Personal Data,
  - The processing is unlawful, and you oppose the erasure of the Employee Data and requests the restriction instead,
  - The data controllers no longer need the Personal Data for the purposes of uses, but keeping Personal Data is required for the establishment, exercise or defense of legal claims,
  - You have objected to processing the data, and pending the verification whether the legitimate interests of the data controller override those of you.
- Receive your Personal Data which you have provided to us in a structured, commonly used, and machine-readable format and have the right to transmit those data to another data controller when the processing is necessary for performance of a contract where you are involved
- Lodge a complaint with a supervisory authority.

To use these rights, contact us as described in Section 3.2.

You should note that applicable laws may contain restrictions and other provisions that relate to the above rights.

## **1.7 Security**

Unfortunately, the transmission of information via the internet is not completely secure. We cannot fully guarantee the security of your Personal Data transmitted to us; any such transmission is therefore at your own risk.

Once we have received your information, we will use strict procedures and security features to prevent unauthorized and illegal access, alteration, and destruction of use of your Personal Data.

Such security measures include but are not necessarily limited to proper firewall arrangements, appropriate encryption of telecommunication and messages as well as use of secure and monitored equipment and server rooms. Data security is of special concern when third parties (e.g. data processing subcontractors) providing and implementing IT systems and services are retained.

Data security requirements are duly observed in IT system access management and monitoring of access to IT systems. Personnel processing Personal Data as part of their tasks is trained and properly instructed in data protection and data security matters.



## 2. Internet

### 2.1 Use of Cookies

We may place information on your computer which allows us to recognize your computer. This information is commonly known as a “cookie”. Typically, cookies enable collection of certain information regarding your computer, including your internet protocol (IP) address, your computer’s operating system, your browser type and the address of any referring sites. Cookies are intended to improve availability and quality of the process.

### 2.2 Other Websites

Our information sources related to the Agreement may contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites are separate from our websites and do not operate under this document or any other data protection communication of us, but have their own privacy policies, data protection statements or similar announcements. We do not accept any responsibility or liability for these policies, statements and announcements or the lack of them or your use of such websites. Please check these policies, statements and/or any other data protection documents before you submit any Personal Data to these websites.



## **3. Miscellaneous**

### **3.1 Changes to this document**

We may change or amend this document. We recommend you revisit this document periodically to review any changes.

### **3.2 Contact Us**

If you want to contact us in data protection related matters, contact your local HR department or Project Manager.