

Data protection information on the processing of personal data within the scope of hiring and employment

Annex 3

In accordance with article 13 of DSGVO, the following provides information on the collection of personal data as part of the application process for hiring personnel at the University of Bayreuth.

1. Responsible for the collection of data:

University of Bayreuth
95440 Bayreuth

Mailing address: Universitätsstr. 30, 95447 Bayreuth
Phone: 09 21/55 - 0
Fax: 09 21/55 - 5290
E-mail: poststelle@uni-bayreuth.de

2. Contacting our Data Protection Commissioner:

Data Protection Commissioner at the
University of Bayreuth
95440 Bayreuth

Mailing address: Universitätsstr. 30, 95447 Bayreuth
Phone: 09 21/55 - 5335
Fax: 09 21/55 -5290
E-mail: datenschutz@uni-bayreuth.de

3. The purpose of data collection is to ensure that the hiring requirements for the public sector are fulfilled. To this end, you will be asked to provide information/ explanations:

- -your completed Questionnaire to Verify Loyalty to the Constitution -provide permission for the employer to access information as required from the authorities (*Landesamt für Verfassungsschutz* and *Bundesbeauftragten für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik*)
- -your completed questionnaire regarding your relationship to the Scientology organisation
- -your statement on scientific conduct
- -a statement concerning your criminal record
- -a statement concerning previous employment

only in the case of the highest service authorities as personnel-administrating bodies (if relevant):

In addition, unrestricted information from the Federal Central Register is requested by the University of Bayreuth as the highest state authority in accordance with § 41 para1 number 2, para 3 BZRG.

If, as a result of your previous professional career, personnel files have already been kept about you in the government sector, these will be requested for inspection.

additionally for employment for activities with special health requirements:

If you are to be employed as a civil servant, a health examination will be necessary to clarify your health suitability due to special health requirements. We commission the following to carry out this investigation¹

- ☐ University Medical Officer
- ☒ Medical Officer
- ☐ Mr./Ms./Mrs.;
- ☐ assessment centre for driving aptitude;

¹ Tick the appropriate box and add if necessary

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The assigned physician/the assigned body will provide a certificate of health suitability for the intended area of application. With regard to the transmission of the certificate based on the health examination, you will be asked separately for consent by the appointed doctor/the appointed body.

On the basis of the data transmitted, we check whether the prerequisites for employment are met for work ☐ in the public sector / ☒ at the University of Bayreuth². If you are hired, further personal data will be processed within the framework of the employment relationship, insofar as this is necessary to fulfil contractual and statutory employer obligations and to carry out organisational, personnel, and social measures, in particular for personnel administration or human resources management purposes. We create a personnel file for this purpose.

The legal basis for data collection and processing in the context of hiring and employment are article 6 para 1 sentence 1 item b, items c and e DSGVO, article 9 para 2 items b and h DSGVO, article 88 para 1 DSGVO, article 8 para 1 sentence 1 numbers 2 and 3 BayDSG, § 611 BGB, § 3 para 5 TV-L, § 3 para 5 TV-Ärzte, § 3 para 5 TV-Forst, § 4 TVA-L BBiG, § 4 TVA-L Pflege, § 4 TV-Prakt; if hired in transport service, additionally § 31 para 2 StVZO, § 11 para 9 in conjunction with Annex 5 FeV, § 12 in conjunction with Annex 6 number 2 FeV.

4. If necessary, your personal data will be passed on by the University of Bayreuth to the following external bodies:

- University Medical Officer/ Medical Officer/ to certify health suitability;
- previous employer to request any existing personnel files;
- the responsible public prosecutor's office or criminal court in the event of criminal proceedings;
- the *Landesamt für Verfassungsschutz / Bundesbeauftragter für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik* (if necessary within the framework of the audit of loyalty to the constitution in the public service);

only in the case of the highest service authorities as personnel-administrating bodies (if relevant):

- the Federal Office of Justice to obtain unrestricted information from the central register;

In order to obtain the above-mentioned information from third parties, the responsible authorities will be informed that your employment at the University of Bayreuth is intended and will be sent your personal contact details.

If you are hired, your personal data will be passed on by the State Ministry to the following external bodies within the framework of the employment relationship, insofar as passing on the data is required:

- the State Office of Finance as the body responsible for payroll accounting and payment;
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² Select and (if applicable) add to/ delete as applicable

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In addition, for persons with severe disabilities or equal status:

Due to your severely disabled status or equal status proven during the hiring process, your personal data will also be passed on to the following external bodies:

in the case of the highest service authorities as personnel-administrating bodies:

- Federal Employment Agency: in order to fulfil the obligation according to § 163 para 2 SGB IX, personal data in the form of a list of severely handicapped and equal employees are transmitted annually by the State Ministry to the Federal Employment Agency.

for other personnel-administrating bodies:

- Highest department of the division: each year, the personnel-administrating body will transmit personal data in the form of a list of severely disabled and equivalent employees working in its area to the highest service authority. In accordance with § 154 para 2 number 2 SGB IX, it is responsible for fulfilling the legal obligation under § 163 para 2 SGB IX (including forwarding the list to the Federal Employment Agency).

If your personal data is processed and stored electronically, the technical operation of our data processing systems is carried out by the state computer centres and the State Tax Office as data processors.

5. The processing of your personal data (storage, deletion, or destruction) within the scope of the employment relationship is governed by § 611 BGB and in corresponding application by article 103 ff. BayBG (especially article 110 BayBG).
6. We would also like to inform you of your rights under DSGVO:
 - If your personal data is processed, you have the right to obtain information about the data stored on you (article 15 DSGVO, § 3 para 6 TV-L, § 3 para 6 TV-Ärzte, § 3 para 6 TV-Forst, § 6 para 1 TVA-L BBiG, § 6 para 1 TVA-L Pflege, § 6 TV-Prakt).
 - Should inaccurate personal data be processed, you have the right to correct it (article 16 of DSGVO).
 - If the legal requirements are met, you can request the deletion or restriction of the processing and file an objection against the processing (articles 17, 18, and 21 para 1 of DSGVO).
 - Furthermore, there is a right of appeal to the Bavarian Data Protection Commissioner. Contacting Bavaria's Data Protection Commissioner:

Bavarian Data Protection Commissioner (BayLfd)
Wagmüllerstr. 18
80538 München

Mailing address: Postfach 22 12 19, 80502 München
Phone: 089 212672-0
Fax: 089 212672-50
E-mail: poststelle@datenschutz-bayern.de
Homepage: www.datenschutz-bayern.de

If you exercise the above rights, the University of Bayreuth will check whether the corresponding legal requirements have been met.

University of Bayreuth