



# Privacy Policy





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## 1. General Information

### 1.1. Purpose of the Privacy Policy

We appreciate your interest in our company, XUND Solutions GmbH (hereinafter referred to as "**XUND**", "**we**", "**us**"), and thank you for your application. As an employer, the protection of the personal data of our potential future employees is particularly important to us. Therefore, we comply with the applicable legal provisions for the protection and processing of personal data, in particular the General Data Protection Regulation ("**GDPR**"), the Austrian Data Protection Act ("**DSG**"), and the Austrian Telecommunications Act ("**TKG**").

Our privacy policy aims to provide all necessary information about processing your personal data as an applicant at XUND. We want to offer you this information in the most precise, transparent, understandable, and easily accessible way possible to support you in exercising your rights according to section 2.3 of the policy.

Definitions regarding your personal data and other relevant terms are accessible in the annex of this Privacy Policy.

### 1.2. Contact of the Controller

Name:	<b>XUND Solutions GmbH</b>
Location:	Dorotheergasse 10/12a, 1010 Vienna, Austria
Register Number:	FN 495664 v
Tax Number:	21914885
Telephone Number:	+43 1 2535999
Email	<a href="mailto:privacy@xund.ai">privacy@xund.ai</a>



## 2. Processing of Data

### 2.1. Processing of Personal Data and the Respective Purpose

#### 2.1.1. [Application and Applicant Management](#)

When you apply, we process the applicant data provided by you (such as basic data [e.g., name, title, address, date of birth, email address, telephone number], qualification data, letter of motivation, curriculum vitae, previous activities, professional qualifications and skills, certificates). The processing of your personal data also includes text documents (e.g., correspondence) that have been created and archived with the help of an automated system. We process this data to evaluate your application and select personnel to fill vacancies and thus in the context of initiating an employment relationship.

The provision of personal data is neither legally nor pre-contractually required, nor are you obliged to provide the personal data. However, the provision of personal data is necessary for the conduct of the application process. This means that if you do not provide us with the required personal data in your application, we cannot complete the application process.

The processing is based on pre-contractual measures according to Art 6 para 1 lit b GDPR.

#### 2.1.2. [Application via LinkedIn](#)

If you apply to us via LinkedIn, we may process information from your LinkedIn profile. However, this only applies if your profile has been made publicly accessible or you have explicitly given us access to it via LinkedIn.

This processing is also carried out to fulfill our (pre-)contractual obligations according to Art 6 para 1 lit b GDPR. For more information on the processing of your data when visiting our LinkedIn page, please see the [privacy policy for our website](#).

#### 2.1.3. [Keeping Application Records](#)

If you are not hired, we will delete your application data. If you want us to keep a record of your application, we will do this based on your voluntary consent. You can revoke this consent at any time without giving reasons with effect for the future.

### 2.2. Transfer of Personal Data

We transfer your data relevant in the respective individual case for the purposes mentioned above to the following recipients:



- to external third parties to the extent necessary based on our legitimate interests (e.g., personnel consultants and service providers, auditors, insurers, legal representatives in the event of an incident, labor market service, other third parties involved in the fulfillment of the contract with the data subject or the provision of services by the responsible party to the data subject and otherwise involved in the employment relationship, e.g., insurance companies, tax consultants, operators of the IT infrastructure, etc.);
- to courts, authorities and other public bodies to the extent required by law (e.g., Chamber of Labor, data protection authority, etc.).

In addition, we work together with external service providers (processors) and transfer your personal data to them to the extent necessary for the specified scope of services. Our processors include, in particular, IT service providers and service providers for contract management:

- Software and service provider (provision of IT applications) for email as well as for administrative activities;
- General IT management (including support, software and maintenance, data center and cloud providers).

### **2.3. Retention Periods**

XUND retains your personal data only for the time necessary to fulfill our duties.

If you enter into an employment relationship with us, we will retain your data for the duration of your employment. You can find more information on this in the privacy policy for employees.

In case no employment relationship is established with us, your data will be kept for 7 months for the assertion or defense of legal claims under the Equal Treatment Act and then deleted.

A longer retention period of three years for a possible contact at a later date is possible, provided that you have given your consent to the record-keeping of your application data.

## **3. Data Subject Rights**

You have the right to access your personal data, right to rectification, erasure, restriction of processing, and data portability. If the processing is based on your consent, you can withdraw it at any time with the effect for the future, e.g., by email to [privacy@xund.ai](mailto:privacy@xund.ai). In addition, you can object to data processing if it is based on our legitimate interest on grounds relating to your particular situation. In this case, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds. These



grounds must override your interests and rights, or the processing is necessary for the establishment, exercise, or defense of our legal rights.

If you feel that the processing of your data is unlawful or that your data subject rights are infringed in any other manner, you are entitled to file a complaint at the Data Protection Authority. In Austria, it is the Austrian Data Protection Authority, Barichgasse 40-42, 1030 Vienna. Prior to your formal complaint or if you need any help exercising your rights, contact us at [privacy@xund.ai](mailto:privacy@xund.ai).

**XUND Solutions GmbH**

Controller

#### 4. Annex - Definitions

- **"Personal Data"** means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
- **"Processing"** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- **"Controller"** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data;
- **"Processor"** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;



- **"Recipient"** means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;
- **"Third Party"** means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data;
- **"Personal Data Breach"** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed;