

DPMS

Data Protection Management System

Doc. **INF-DPMS.01A** Rev. **00** of the **20/01/2023**

Classification: **L1 – PUBBLICO**

CANDIDATE PRIVACY POLICY

Surrender pursuant to Articles. 12, 13 and 14 of Regulation (EU) 2016/679

MSA Dampers.r.l.

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1 RECIPIENTS OF THE DOCUMENT

This document is addressed to those who propose their candidacy by spontaneous sending of CV to the company (hereinafter simply "**MSA Dampers.r.l.Company**" or "") or through the companies **MSA Damper** or personnel selection services used by **MSA Damper**.

2 PREMISE

In order to make this document more understandable and transparent to the reader, we felt it necessary to use simple and colloquial language. Therefore, the use of a less formal tone should not be interpreted as a lack of respect or courtesy towards the Candidate but simply a way to facilitate communication.

3 PURPOSE OF THE DOCUMENT

In compliance with the indications provided for by Regulation (EU) 2016/ 679 (hereinafter, "**Regulation**" or "**GDPR**") regarding the processing and free movement of personal data, you have the right to know all information regarding the processing of your personal data in a clear and transparent manner.

This information is provided to you at the time of acquisition of information or, in case of spontaneous sending of the CV, at the time of the first useful contact following receipt of your curriculum. All additional information acquired after the selection phase and necessary for the activation of the employment contract, will be processed for the purposes stated in the document **INF-DPISMS.01 – EMPLOYEE INFORMATION** that will be issued to you or only at the time of recruitment.

4 DEFINITIONS

The definitions of the terms used in this document are to be understood as per art. 4 of EU [Regulation 2016/679](#).

5 OWNER OF THE PROCESSING OF PERSONAL DATA AND EMPLOYMENT RELATIONSHIP

MSA Dampers.r.l. (hereinafter simply **MSA Damper**) is Owner of the processing of personal data pursuant to the Regulation. The following is contact information:

**MSA Dampers.r.l.**

Operational headquarters: Via Learco Guerra, 18 - 14100 Asti (AT)

C.F./ P.IVA IT 11010890967 - Cod. REA: AT – 134990

PEC: msadampersrl@legalmail.it

Telephone +39 0141 1785176

email: info@msadamper.com

5.1 DATA PROTECTION OFFICER - DPO

MSA Damper is not required to appoint the DPO pursuant to art. 37 of the GDPR.

5.2 DATA PROTECTION COORDINATOR

MSA Damper, also pursuant to art. 2-quaterdecies of Legislative Decree. 196/2003 (so-called "Privacy Code)", has appointed a Company **Data Protection Coordinator** with the task of supervising the compliance of processing with the GDPR.

The Data Protection Coordinator is available for any clarification or information regarding the processing of your personal data and to facilitate you in the possible exercise of the rights that are recognized by the Regulation.

You can contact the Data Protection Coordinator at the following e-mail address: dataprotection@msadamper.com.

6 OUR COMPANY POLICY ON THE PROCESSING OF PERSONAL DATA

MSA Damper, has always been very attentive to the security of the information managed, with particular regard to information that may contain personal data (pursuant to Article 4.1 GDPR) or special categories of personal data (pursuant to Article 9 GDPR). For this reason, the company has decided to adopt a single organizational model, called **Data Protection Management System** (hereinafter "**DPMS**" or "**System**"), also based on the guidelines of the ISO 27001 standards. Taking into account the context of our organization, the supply chain needs and the expectations of the interested parties, the System establishes the Leadership and commitment of the Data Controller, through the definition of organizational roles, internal and external responsibilities and the authority of the subjects involved. Within the DPMS, security objectives were

identified and the actions necessary to achieve them were planned. The resources and skills necessary for a constant and continuous improvement of the System over time are also guaranteed, periodically verifying its field of application and alignment with company purposes.

7 PURPOSE OF THE PROCESSING

The personal data contained in your application (e.g. CV), or collected during the selection process, will be processed exclusively for the following purposes:

ID	Description of the purposes, bases of lawfulness, origin of the data and duration of processing
F1	<p>Purpose: <i>To manage, analyze, classify, evaluate and select applications and make the selection for the purpose of the possible establishment of an employment relationship and / or collaboration.</i></p> <p>Lawfulness: These treatments will be carried out pursuant to art. 111 BIS of Legislative Decree 101/2018 and art. 6 par. 1 letter b) of the GDPR as they are pre-contractual measures necessary to activate the employment contract. This is the legal basis used when your personal data are necessary for the execution of the contract of which you are a party or for the execution of all pre-contractual measures taken at your request. For the treatments taken into consideration in this statement, reference is made exclusively to the Employment Contract.</p> <p>Although it is not the legal basis normally used for the processing of your data to which this information refers, we may sometimes request your consent pursuant to art. 6.1 lett. a) of the GDPR for some specific purpose. In this case you will be promptly informed in writing and you will have the right to revoke your consent at any time.</p> <p>Origin of the data: The data are provided directly in the CVs, voluntarily provided during the interviews, acquired through third parties.</p> <p>Duration of treatment: The treatment will cease at the end of the selection process or within 2 years of receipt of your application (eg CV). However, the data may be further processed if you have been deemed suitable to cover possible future job positions.</p> <p>Further storage: If deemed appropriate and lawful, at the end of the duration of the processing, your personal data may be further stored for civil or judicial reasons (see purpose F3).</p>
F2	<p>Purpose: <i>To comply with legal obligations, regulations deriving from community legislation, or deriving from instructions given by public authorities or supervisory bodies.</i></p> <p>Lawfulness: These treatments are carried out by law pursuant to Article 6 paragraph 1 letter c) of the GDPR.</p> <p>Origin of the data: The data are provided directly by you in the CVs, during the interviews, acquired through third parties (eg companies or selection services).</p> <p>Duration of processing: The processing will cease when the legal obligation expires.</p> <p>Further storage: Compatibly with the retention period imposed by law, if deemed necessary and lawful, your data could be further stored for civil or judicial reasons (see purpose F3).</p>
F3	<p>Purpose: <i>To take protective actions to protect the interests of the Company or those of third parties such as, for example, to defend in court and / or assert rights.</i></p> <p>Lawfulness: These treatments are carried out pursuant to art. 6 par. 1 letter f) of the GDPR on the basis of the Legitimate Interest of the Data Controller.</p> <p>Origin of data: The data subject to storage processing are conferred or collected for all the purposes stated in this document.</p> <p>Duration of processing: Until the purposes of protection are achieved.</p> <p>Further storage: We will keep your personal data for the limitation period provided for by the legislation for the protection of related rights, without prejudice in any case to longer retention periods provided for by specific sector regulations. In particular, the data will be processed and / or stored for a period of 10 (ten) years from the achievement of the collection purposes.</p>

Purpose: *Anonymization for internal analysis and statistical purposes.* In some circumstances, for the processing carried out for the purposes **F1** and **F2** we may anonymize some data so that they can no longer be associated with you, in such cases it will be possible for us to use said data without further notice to you and keep them for an indefinite time. We will carry out anonymization only if we are able to guarantee and demonstrate over time the impossibility of being able to associate such data to your person again (eg through Reverse Engineering techniques).

F4 For example, the data may be used to compile statistics on the labour market, quality, security, access to web services, etc. If the use of your anonymized data is required to feed statistics that could fall outside your legitimate expectations, we will provide you with specific information and collect your consent if necessary.

Lawfulness: This anonymization treatment will be carried out pursuant to *art. 6 par. 1 letter f)* of the GDPR on the basis of the Legitimate Interest of the Data Controller.

Data Source: The data are collected for **F1** and **F2** purposes

Duration and Storage: We will retain and use anonymized data indefinitely.

8 FURTHER TREATMENTS

If, during the selection process, further and specific treatments are necessary, not indicated in this statement, it will be necessary to **MSA Damper** provide specific information in advance and, if necessary, proceed to acquire the necessary consent. This principle will also apply if it is necessary and lawful the processing of special categories of data (pursuant to art. 9 of the GDPR) or the processing of personal data relating to criminal convictions and offenses (ex 10 of the GDPR) if this is required by law.

9 PERSONAL DATA SUBJECT TO PROCESSING

9.1 PERSONAL DATA

You should know that we may record, store and use the following information relating to or referable to you:

- *Personal Identifiers such as* title, name, date of birth, age, gender, residence, personal *e-mail*, telephone number, as well as, if necessary, social security number, identity card number, driving license number, passport;
- *Curriculum Vitae (CV)* which will include information about your education and details such as qualifications, academic data, schools, training and professional skills;
- Data of a particular nature (e.g. data relating to your health condition) freely included by you in the *curriculum* or otherwise communicated by you;
- *Additional information* necessary for the selection and consistent as you can reasonably expect by virtue of the professional figure sought.

9.2 SPECIAL CATEGORIES OF DATA

Some personal data processed may belong to the special categories of personal data ("*data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership or genetic or health-related data*" - art. 9 GDPR).

In a gradual manner with respect to the selection process, we may, in particular, process data relating to disability conditions (possible registration for targeted placement) to assess your suitability for work and to ensure compliance with the provisions of Law no. 68 of 12 March 1999.

The processing of such data will take place in compliance with the provisions contained in the Authorization to process sensitive data in the employment relationship (no. 1/2016) updated to the Provision of the Guarantor Authority of 13 December 2018 ("*Provision that identifies the requirements contained in the General Authorizations that are compatible with the Regulation and with Legislative Decree no. 101/2018 adapting the Code*" – Doc. web n. 9068972).

9.3 INFORMATION ON CRIMINAL CONVICTIONS

We will collect information relating to criminal convictions only where this is appropriate given the nature of the role and provided that such investigation is permitted by law.

10 PRINCIPLES APPLICABLE TO DATA PROCESSING

Right from the information collection phase, any processing performed by us will respect the principle of relevance and not excess by virtue of the purposes pursued by the same. We inform you that access to your personal data by the subjects appointed by us, is allowed only if the knowledge is considered strictly essential for the pursuit of the purposes illustrated in this document.

11 MANDATORY OR OPTIONAL NATURE OF DATA PROVISION

For the purposes stated in this statement, the provision of personal data is a necessary requirement and your refusal to provide the requested information could prevent, totally or partially, the performance of the activities aimed at concluding the selection process, or the fulfillment of legal obligations, regulations deriving from Community legislation, or deriving from instructions given by public authorities or supervisory bodies. By way of example, they may be unable to **MSA Damper** choose you as a candidate to fill the required role.

12 LEARN MORE ABOUT RETENTION

The CVs and data collected during the selection process will be deleted/destroyed or anonymized within **90** days from the expiry of the retention periods declared in [paragraph 7](#).

13 PROCESSING METHODS

We inform you that, with logic strictly related to the purposes of collection, **MSA Damper** in a we adopt and observe strict procedures and security measures to store, use and allow you to view your personal data using paper, computer and telematic tools, so as to always guarantee their Protection against unauthorized or unlawful processing and against accidental loss, destruction or damage.

In particular, the data are:

- accepted exclusively for the stated purposes and subsequently processed in compliance with them;
- adequate, relevant and limited with respect to the purposes stated above ("so-called data minimization");
- accurate and, if necessary, updated, deleted and/or corrected, also on the basis of any EU indications;
- used and stored for a period of time not exceeding the achievement of the purposes for which they are collected.

13.1 AUTOMATED DECISIONS



MSA Damper In order to select applications, it does not implement automated decisions based on your personal data.

13.2 SAFETY



With reference to the processing of their personal data, **MSA Damper** it has taken steps to assess the risks to the rights and freedoms of the candidates, also taking into serious consideration the risks hanging over the computer systems used. The risks were then addressed by analyzing the sources of risk and mitigating the threats that could materialize them.

14 SCOPE OF COMMUNICATION AND DISSEMINATION OF DATA

For the pursuit of the purposes stated in this document and within the limits of what is strictly necessary, **MSA Damper** it makes use of the activities of external parties with whom specific agreements are stipulated on the processing of personal data to regulate the relationships of **Ownership / Responsibility** pursuant to the Regulation (eg. external subjects that carry out technical, commercial, legal, administrative consultancy, companies that provide IT services in Cloud, data processing, shipping and transport services, banks, bodies, public administrations, authorities, supervisory bodies, etc.). Internally, the subjects involved in the processing of your personal data are bound to confidentiality, adequately trained and appointed as "**Authorized**" objects to treatment.

Without prejudice to any legal obligations, **your personal data will not be disseminated in any way**.

For more information on the subjects who may become aware of your personal data, you can contact our Company Data Protection Coordinator.

15 TRANSFER OF DATA ABROAD

Normally, in order to carry out the application selection process, it **MSA Damper** does not transfer candidates' personal data outside the European Economic Area (EEA). However, if your personal data is transferred to countries located outside the European Economic Area (EEA), in the absence of adequacy decisions by the Commission of the European Union, **MSA Damper** it will ensure appropriate safeguards to protect the personal data of its candidates in these countries. Some of the safeguards that may be adopted, where appropriate, include the use of standard contractual clauses approved by the European Commission, pseudonymisation and, if possible, encryption of the data.

By way of example but not limited to, we inform you that the transfer abroad of your personal data is often linked to the use of cloud technologies, digital communication systems, security software and protection of IT services. In these cases, our Company undertakes to use services chosen among the operators that guarantee greater standards of security and attention to the protection of personal data.

In this regard, we inform you that it **MSA Damper** uses some ICT services, provided by US companies such as, for example, Microsoft, Google and Apple that operate as our Data Processors pursuant to Article 28 of the GDPR.

For this reason, we sign service contracts and "*Data Processing Agreements*" (DPAs) with these companies, which also include the "*Standard Contractual Clauses*" (SCCs) established by the European Commission pursuant to art. 46, par. 1, GDPR.

However, while selecting, where possible, the provision of these services through Data Centers located within the EEA, the Data Processor may have to allow access to our data to the American authorities as a result of the so-called "Cloud ACT".

16 RIGHTS OF THE INTERESTED PARTY

As an interested party, you can exercise at any time the rights that are recognized by articles 15 to 22 of the Regulation.

In particular, in the manner and within the limits of the law, you have the right to ask our company for access to your personal data, rectification, cancellation or limitation of the processing of personal data concerning you and to oppose their processing. To exercise your rights you can use the contact channels provided in this document.



You can obtain more information on the rights applicable to the treatments declared in this statement in [ANNEX A](#)

17 COMPLAINT TO THE SUPERVISORY AUTHORITY (art. 77 GDPR)

Without prejudice to the possibility of contacting you to **MSA Damper** obtain any information or for the exercise of your rights, we inform you that you can lodge a complaint with the competent independent administrative authority in the Member State of the European Union where you usually reside, where you work, or where you believe you are verified an alleged violation of the law on the protection of personal data. In Italy you can lodge a complaint with the Guarantor for the Protezione dei Dati Personali (GPDP). For information on how to submit your complaint to the authority you can use the following contact details:



Guarantor for the protection of personal data

Switchboard: +39 06.696771

E-mail address: garante@gpdp.it

PEC address: protocollo@pec.gpdp.it

Website: <https://www.garanteprivacy.it>

18 UPDATING OF THE INFORMATION

This information, **INF-DPMS.01A "CANDIDATE PRIVACY POLICY" Version 0 0** in force since **20/01/2023**, replaces the previous one issued on 25/05/2018. The document is periodically reviewed according to regulatory and/or corporate changes.

In case of modification in its fundamental parts (such as the purposes, methods, to whom we communicate the data, where we transfer them, etc.) it will be the responsibility of our company to inform you of the change.



You can find the updated version of this information on the institutional website of **MSA Dampers.r.l.** at the following link: <https://msadamper.com/privacy>

ANNEX A**GUIDE TO THE EXERCISE OF THE RIGHTS APPLICABLE TO THE TREATMENTS DECLARED IN THE CANDIDATE INFORMATION INF-DPMS.01A VER. 00 OF 20/01/2023****RIGHT OF ACCESS (art. 15 GDPR)**

As a data subject, you have the right to obtain confirmation as to whether or not we are processing personal data concerning you and, if so, to obtain access to the following information:

1. the purposes of the processing;
2. the categories of personal data concerned;
3. the recipients or categories of recipients to whom the personal data have been or will be communicated, in particular if recipients of third countries or international organizations;
4. where possible, the envisaged retention period of personal data or, if not possible, the criteria used to determine this period;
5. the existence of the right of the interested party to ask the data controller to rectify or delete personal data or limit the processing of personal data concerning them or to oppose their processing;
6. the right to lodge a complaint with a supervisory authority;
7. if the data have not been provided directly by you, all available information on their origin;
8. the existence of automated decision-making, including profiling and, at least in such cases, meaningful information on the logic used, as well as the consequences of such processing for you.
9. If your personal data is transferred to a third country or to an international organization, you have the right to be informed of the existence of adequate guarantees pursuant to art. 45-50 of the GDPR.



Your right to obtain a copy of the data will only be allowed to you if it is possible to do so without infringing the rights and freedoms of others. If you decide to exercise this right, we will provide you with a copy of the personal data being processed. **If you request further copies, we may ask you for a fee contribution based on the administrative costs incurred by us.**

Conditions of applicability

This right is guaranteed for all processing carried out by us regardless of their basis of lawfulness. Especially:

Conditions of non-applicability

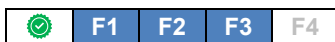
- The law does not apply to data already anonymised for purposes **F4**

RIGHT TO RECTIFICATION (art. 16 GDPR)

You have the right to obtain from us the modification and updating of your personal data without undue delay. Taking into account the purposes of the processing, you have the right to have your incomplete personal data completed, including by providing us with a supplementary statement.

Conditions of applicability

This right is guaranteed for all processing carried out by us regardless of their basis of lawfulness. In particular, it is applicable to the following treatments:

Conditions of non-applicability

- The law does not apply to data already anonymised for purposes **F4**

RIGHT TO ERASURE "RIGHT TO BE FORGOTTEN" (Art. 17 GDPR)

You have the right to obtain the cancellation of personal data concerning you without undue delay.

Conditions of applicability

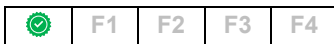
We grant you this right for the following processing operations, when one of the following reasons exists:

1. when the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed:

Specific conditions of non-applicability

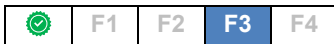
The law does not apply to data already anonymised for purposes **F4**

2. if you have revoked the consent on which the processing is based and there is no other legal basis to continue it without your authorization. The right is not applicable to any of the treatments stated in this statement.

Specific conditions of non-applicability

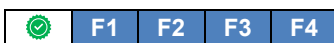
The right is not applicable as no treatment declared in the information is based on the consent of the interested party

3. if you oppose the processing and there is no legitimate overriding reason on our part to proceed with the processing anyway:

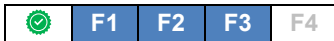
Specific conditions of non-applicability

The right is not applicable to processing carried out for purposes **F1** and **F2** as they are not based on legitimate interest and to data already anonymized for purposes **F4**

4. if personal data are unlawfully processed:



5. if personal data must be deleted to fulfill a legal obligation to which we are subject as Data Controllers:

Specific conditions of non-applicability

The law does not apply to data already anonymised for purposes **F4**

6. where personal data have been collected in relation to the offer of information society services:

Specific conditions of non-applicability

The right is not applicable to any of the treatments stated in this statement.

RIGHT TO RESTRICTION OF PROCESSING (art. 18 GDPR)

This right is guaranteed for all processing carried out by us regardless of the lawfulness basis used.

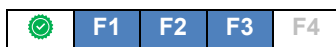


Personal data subject to restriction are processed, except for storage, only with your consent or for the assessment, exercise or defense of a right in court or to protect the rights of another natural or legal person. In addition, we inform you that if you have obtained the limitation of processing you are informed by the data controller before this limitation is revoked.

Conditions of applicability

You have the right to obtain the limitation of processing when one of the following hypotheses occurs:

1. You have contested the accuracy of your personal data; the restriction will be applied for the period necessary to allow us to verify the accuracy of such data:

Specifications and conditions of non-applicability

The law does not apply to data already anonymised for purposes **F4**

2. the processing is unlawful and you oppose the cancellation of your personal data by asking, instead, that its use be limited:

Specific conditions of non-applicability

The law does not apply to data already anonymised for purposes **F4**

3. although we no longer need it for the purposes of processing, the personal data are necessary for you to ascertain, exercise or defend legal claims:

Specific conditions of non-applicability

The law does not apply to data already anonymised for purposes **F4**

4. You have objected to the processing; the limitation will be applied pending verification of the possible prevalence of our legitimate reasons for the continuation of the same:

Specific conditions of non-applicability

The right is not applicable to data already anonymized for purposes **F4** and to processing carried out for purposes **F1** and **F2** as they are not based on legitimate interest.

RIGHT TO NOTIFICATION (art. 19 GDPR)

You have the right to obtain from us a direct communication to each of the recipients to whom the personal data have been transmitted, regarding the requests for rectification or cancellation or limitation of processing, unless this proves impossible or involves a disproportionate effort. Furthermore, if it considers it appropriate, it shall have the right to obtain a list of the recipients of the data.

Conditions of applicability

This right is guaranteed for all processing carried out by us regardless of the basis of lawfulness used:



Specific conditions of non-applicability

- The law is not applicable to anonymised data for purposes **F4**

RIGHT TO DATA PORTABILITY (art. 20 GDPR)

You have the right to receive the personal data concerning you provided to us in a structured, commonly used and machine-readable format and you have the right to obtain from us the direct transmission of such data to another data controller if technically feasible.

Conditions of applicability

This right is guaranteed only for processing that has consent or contract as their legal basis and is carried out by automated means:

<input checked="" type="checkbox"/>	F1	F2	F3	F4
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Specific conditions of non-applicability

- The law does not apply to the processing carried out by us

RIGHT TO OBJECT (art. 21 GDPR)

You have the right to object at any time to the processing of your personal data based on or on our legitimate interest, including profiling.



We will refrain from further processing your personal data only if we are unable to demonstrate the existence of legitimate grounds which override your interests, rights and freedoms. The processing will continue even if the data are necessary for the assessment, exercise or defense of our rights or those of third parties in litigation.

Conditions of applicability:

The legal basis of the processing must be legitimate interest. The law is applicable to the following treatments:

<input checked="" type="checkbox"/>	F1	F2	F3	F4
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Specific conditions of non-applicability

- The law is not applicable to the processing carried out for the purposes **F1** and **F2** as they are not based on legitimate interest and to the processing carried out for the purposes **F3** as necessary for the assessment and defense in litigation.

SPECIFIC RIGHTS IN THE CASE OF AUTOMATED DECISION-MAKING (art. 21 GDPR)

You have the right not to be subjected to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or that significantly affects your person. In addition, you have the right to obtain human intervention from the Data Controller, to express your opinion and to contest the automated decision.

In any event, decisions shall not be based on special categories of personal data referred to in Article 9(1) of the GDPR, unless points (a) or (g) of Article 9(2) of the GDPR apply, and adequate measures are in place to protect your rights and freedoms.

Conditions of applicability

The law shall not apply where the decision:

- is necessary for the conclusion or performance of a contract between us;
- is based on your explicit consent;
- the decision is authorised by Union or Member State law.

<input checked="" type="checkbox"/>	F1	F2	F3	F4
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Specific conditions of non-applicability

- The right is not applicable to any of the treatments declared in this statement as none of them subject the interested party to a decision based solely on automated processing.

RIGHT TO COMPENSATION FOR DAMAGES (art. 82 GDPR)

We inform you that anyone who suffers material or immaterial damage caused by a violation of Regulation 2016/679 has the right to obtain compensation for such damage.

FORMS FOR THE EXERCISE OF RIGHTS

To exercise your rights towards our Company, we advise you to use the following form made available by the Guarantor Authority:

<https://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/1089924>

We remind you that your identification is always necessary on our part.

End of Document