

Fresenius Medical Care
Data protection notice for applicants and consent to
further storage

1. Introduction

Fresenius Medical Care AG & Co. KGaA, Else-Kröner-Straße 1, 61352 Bad Homburg, Germany and its related group companies (collectively "FME" or "Company") are committed to protecting the personal information you share with us and that we collect as part of the application process. The purpose of this privacy notice (the "**Privacy Notice**") is to inform you about what personal information we collect, use, transfer and disclose and why we do so in connection with considering your application.

We take our data protection obligations very seriously and are committed to protecting your privacy.

If you have any further questions, please contact our data protection officer at the e-mail address dataprotection.ch@fmc-ag.com.

2. What personal data we collect, use, transfer and disclose and why

When you apply for a job with FME, you provide FME with personal data and FME collects information about you. This data is processed by FME within the local unit that posted the job offer and in other units for the purposes stated in this privacy notice.

We refer to such identifying information as "personal information". More detailed information about what personal information about you the Company may collect, use, transfer and disclose and for what purposes it may be collected, used, transferred and disclosed can be found at the end of this Privacy Notice.

FME collects and processes personal data when it is necessary for the evaluation of your professional skills and, if such data corresponds to the position for which you are applying or to another position; to start processes at your request before possibly entering into an employment relationship with you; in certain circumstances with your consent; when required by applicable law (including legal obligations as a company and future employer) or for purposes related to legal claims and/or when it is necessary for the legitimate business interests and when there is no undue impact on the interests or rights of the applicants. In addition, FME transfers and processes personal data of applicants and employees for FME business purposes, including the centralisation of data processing activities and the performance of "background checks" and verifications, where there is a legitimate interest to do so.

The Company will not use personal information for any other purpose that is incompatible with the purposes described in this Privacy Notice, except as required or permitted by applicable law or as authorized by you.

If, as part of your application, you are to provide us with personal data relating to a reference or other natural person, you are responsible for informing that natural person and obtaining their consent before providing the information to us and also for obtaining consent for us to contact that person as a reference.

3. Transfer and use of personal data

Due to FME's global operations, FME may share personal data with employees and departments throughout the FME group of companies in order to fulfil the purposes described at the end of this Privacy Notice. This may include the transfer of personal data to other legal entities in one country or to other countries (including countries where you are not a resident and where different data protection rules apply than in the country where you are a resident). If you are a resident of a country in the European Economic Area (the "EEA"), this may include countries outside the EEA. A list of all affiliates that may process and use personal data can be obtained by contacting FME's Data Protection Officer via their contact details provided. The transfer of your personal data to countries outside the EEA will be in accordance with the law.

In all cases of sharing and transfer of personal data within FME, access to personal data is limited to those persons who need to know the data for the purposes described at the end of this privacy notice. This may include the prospective supervisor(s), HR, IT, Compliance, Legal, Finance and Internal Audit staff.

In some cases, FME may also use external recruiters/headhunters or a service provider to assist with recruiting. In this case, FME may need to provide personal data to this unaffiliated third party. A list of categories of non-affiliated third parties can be found at the end of this privacy notice. Some of these third parties are located outside the jurisdiction of your home country, including in the United States. Personal data is disclosed to third party service providers and professional advisors on the basis of appropriate contractual safeguards to protect the confidentiality and security of the personal data, and these service providers only use personal data to provide services to the Company and its affiliates and are contractually bound to do so in accordance with applicable law.

4. Data security

The Company will take appropriate measures to protect personal data consistent with applicable data privacy and security laws and regulations, including requiring service providers to take appropriate measures to protect the confidentiality and security of personal data.

5. Data integrity and data storage

The Company shall take reasonable steps to ensure that the personal data processed is available, accurate and complete for the intended use in order to fulfil the purposes described in this privacy notice.

If the application leads to employment, the personal data you have provided and that we have collected in connection with your application may be included in our HR systems and will be stored as part of your personnel file and used to manage and conduct the employment relationship, including the onboarding process. You will be informed separately about our data control and processing activities through our Employee Privacy Notice.

Even in the event that the application does not lead to employment, we will retain and store your application documents and personal data for a period of 7 months after the conclusion of the relevant application or recruitment process. In addition, we may ask for your consent to store your application documents in the so-called applicant or talent pool.

6. Rights of the applicant

You have the right to access your personal data, the right to rectify inaccurate personal data, the right to delete or restrict your personal data in certain circumstances and the right to data portability. If you wish to exercise any of these rights, please contact our Data Protection Officer using the contact details provided in section 1. Please note, however, that certain personal data may be exempt from these access, correction, restriction and deletion requests due to applicable data protection or other laws and regulations.

You can also lodge a complaint with the competent data protection supervisory authority.

Types of personal information we may collect, use, transfer and disclose:

- **Contact details:** Name, address, email address, telephone number and other contact details;
- **Work experience:** CV, covering letter, previous and/or relevant work experience or other experience, training, certificates or any other information you provide to support an application and/or the application and recruitment process.
- **Employment:** Details of the type of employment you are seeking or may be seeking, current and/or desired salary and other terms and conditions relating to remuneration

and benefit packages, willingness to relocate or other job preferences; information relating to previous applications to FME, previous work history with FME and/or relationship with current FME employees;

- **Occupational Requirements:** Work permit status; if required; visa/residency status; professional or other work-related licenses; possession of permits and certifications; awards or professional memberships; information regarding references; applicable restrictions (non-compete or non-solicitation) from prior employment or prior positions; conflicts of interest (other employment, family members, dependents or other related persons holding a position with FME that may affect the hiring process);
- **Information from the recruitment process:** Information from possible interviews and pre-selection telephone interviews, as well as information regarding any assessment you receive during the interview conducted during the selection process. Information from references and/or (where applicable) information from "background checks" or from your being named in sanctions lists, including information provided by third parties, such as your references, previous employers or educational institutions you have attended. Information about your education and work history obtained from publicly available sources, including online sources, that we consider relevant to your application or possible future application (e.g. LinkedIn profile); and/or
- **Sensitive and/or demographic information provided during the application or recruitment process,** such as gender, details of your nationality and/or citizenship, medical or health information and/or ethnic origin (as permitted/required under applicable local law);

The purposes for which we may collect, use, transfer and disclose personal data:

Your data will be used to carry out our application and recruitment process, which includes:

- **Application screening:** assessing your skills, qualifications and interests against our career opportunities; checking your details and references and/or carrying out 'background checks' (if applicable/legislated) if you are offered a position; proactively carrying out research into your education and work history and skills and contacting you if we feel you are suitable for a position with us.
- **Communication:** Communication with you about the recruitment process and/or your application(s), including communication about other possible career opportunities in appropriate cases.
- **Compliance with applicable laws and procedures:** Record keeping and reporting requirements, conducting audits, complying with governmental reviews and other requests from governmental or other public authorities, responding to legal process such as subpoenas, pursuing legal claims and remedies, defending legal proceedings and managing internal complaints or claims, conducting investigations and complying with internal policies and procedures, reviewing sanctions lists and conducting other "background checks" and audits that may be required under applicable laws and procedures, legislation and/or a legitimate business interest for a particular position.

We will also use your information to protect the rights and property of our users, applicants, candidates, employees or the public as required or permitted by law.

If you are offered and accept employment with FME, the data collected during the application and recruitment process will be included in your personnel file.

The categories of unaffiliated third parties with whom FME may share personal data:

- **Professional advisors:** external professional advisors, such as external legal counsel
- **Service providers:** Companies that provide products and services to FME as described above, such as recruitment agencies or for the purpose of background checks and the provision of IT systems and support for the processing of applicants' data. These service providers may be located outside the country in which you live or the country in which the vacancy for which you have applied is to be filled.
- **Public and governmental authorities:** Entities that have regulatory authority over FME or jurisdiction over us, such as regulators, law enforcement agencies, public bodies and judicial authorities, particularly in the case of requests from these authorities.

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Consent

I have received and read this Privacy Notice and I understand that the Company may collect, use, transfer and disclose my personal information as described in this Privacy Notice.