

# Privacy Policy for Candidates

## Why does CellMark have a privacy policy?

CellMark cares about your privacy. Therefore, CellMark always strives to protect your personal data in the best possible way and to comply with all applicable laws and regulations for the protection of personal data.

In the European context this is being governed by the EU-regulation called General Data Protection Regulation (GDPR) and in US California context by California Consumer Privacy Act (CCPA). Moreover, as CellMark is a company operating globally, there are several other data protection regulations to follow.

In this privacy policy, CellMark wants to inform you as a candidate of how CellMark processes the personal data about you that has been collected in connection with your application for a job at CellMark] and during the recruitment process.

## Who is responsible for your personal data?

CellMark AB, Swedish corporate identity number 556244-2433, with address [P O Box 11927, SE-404 39 Gothenburg, Sweden], telephone number +46(0)31-100 300 is responsible for the processing of your personal data (the controller).

You are welcome to contact our Data Protection Coordinator by calling telephone number +46(0)31-100 300 or sending an e-mail to [dataprotection@cellmark.com](mailto:dataprotection@cellmark.com) if you have any questions or queries regarding CellMark's processing of your personal data.

## What personal data does CellMark process?

The personal data that CellMark processes about you as a candidate is the information you provide to us in connection with your application for a job at CellMark or information about you that a third party has provided to us during the recruitment process. For further information, see below.

### Personal data you provide to us when you apply for a job at CellMark and during the recruitment process

When you apply for a specific position at CellMark or submit an open application to CellMark you will provide us with information about yourself. The information that you provide to us is typically your name, phone number, age, home address, e-mail address, current employment such as work place and position, final grades, together with the information in your resume and cover letter.

If you proceed further in the recruitment process, CellMark also processes additional personal data about you that you provide to us, e.g. information from interviews, and in any additional documents that you submit to us.

If you do a written personality test during the recruitment process, CellMark will process personal data about you such as the test results.

Personal data about you that a third party has provided to us

If you proceed further in the recruitment process, CellMark may process personal data about you that CellMark has collected from your references. Personal data that your references has provides to us is, for example, information about your personal characteristics and qualifications.

### **For what purposes does CellMark process your personal data?**

All CellMark's processing of your personal data is necessary in order to take steps prior to entering into a contract with you and for CellMark's legitimate interests. More information about the purposes for our processing of your personal data is given below.

#### **In order to administer your application**

When you apply for a job at CellMark, it is necessary for us to process your personal data to administer your application in order to take steps prior to entering into an employment agreement with you.

The personal data about you that CellMark processes on the legal basis that it is necessary in order to take steps prior to entering into an employment agreement with you is, e.g. your name, phone number, age, home address, e-mail address, current employment such as work place and position, together with the information in your resume and cover letter. Under this legal basis, CellMark also processes personal data about you such as test results from a personality test and information about you that has been collected from your references during the recruitment process.

When you apply for a job at CellMark you are required to provide CellMark personal data about you which is necessary for CellMark to process in order to take steps prior to the entering into an employment agreement with you. If such personal data is not provided to us, CellMark will not be able to take measures prior to entering a contract with you or give you a job offer.

#### **In order for us to be able to defend us against future claims**

CellMark will process personal data about you if it is necessary for the purposes of the legitimate interests pursued by us. However, the legitimate interests of CellMark will provide a legal basis for processing of your personal data, only if your interests or your fundamental rights and freedoms are not overridden.

When CellMark relies upon the legal ground that processing of personal data is necessary for CellMark's legitimate interests, CellMark has carried out a balancing test to determine if CellMark's legitimate interests outweighs the general privacy rights that you have as an individual. Only when the result of the balancing test shows that CellMark's legitimate interests outweighs your interests of the right to privacy, CellMark will process your personal data based on this legal ground.

Below CellMark will provide you with the information and result from the balancing tests that have been carried out by us, to allow our legitimate interests as a lawful basis for processing.

- *CellMark processes personal data about you, to be able to defend us against future discrimination claims.* In the unfortunate event of a future dispute with you in respect of the regulations in the Anti-Discrimination Act, it is necessary for us to carry out evidence in the matter. In this context, the specific interest of you as a data subject is your interest of us not to process such personal data of you, since it can be considered as an infringement of your privacy. Under these circumstances, CellMark's legitimate interest to process your personal data to be able to carry out evidence in the unfortunate event of a future dispute with you outweighs your interest for us not to do so.

The personal data that CellMark will process about you for the purpose to be able to carry out evidence in the unfortunate event of a future discrimination dispute with you is information from your application. Such information is, for example, your name, phone number, home address, e-mail address, current employment such as work place and position, together with the information in your resume and cover letter. CellMark will also process data about you that you have provided to us or that has been collected from a third party during the recruitment process. Such data can be the test results from a personality test, information from your interview and information from your references.

- *When you submit an open job application at CellMark without applying for a specific position, CellMark will process your personal data to be able to match your profile to future positions at CellMark.* In this context, the specific interest of you as a data subject is your interest of us not to process such personal data of you, since it can be considered as an infringement of your privacy. However, since you have contacted us with hopes of a future job at CellMark, CellMark has to process your personal data to be able to administer your application. It is also in CellMark's interest to do so to be able to match your profile to future positions at CellMark. Under these circumstances, CellMark's legitimate interest to administer your application outweighs your interest for us not to do so. If you at any point withdraw your application, CellMark will erase your personal data and stop the processing.

The personal data that CellMark will process about you for the purpose to be able to match your profile to future positions at CellMark and to be able to contact you to see if you are interested in working at CellMark, is the information from your application. Such information is, for example, your name, phone number, age, home address, e-mail address, current employment such as work place and position, together with the information in your resume and cover letter.

#### **If you have given your consent**

As a general point of view, CellMark does not process your personal data based on consent when you apply for a specific position at CellMark.

In the event that CellMark, as an exception, processes your personal data based on your consent, CellMark will obtain your consent in advance. Such exception can be, for example, if you are not offered the position you applied for but CellMark wishes to store your personal data for future positions and recruitment.

The personal data that CellMark will process about you for the purpose to be able to match your profile to future positions at CellMark and to be able to contact you to see if you are interested in working at CellMark, is information from your application. Such information is, for example, your name, phone number, age, home address, e-mail address, current employment such as work place and position, together with the information in your resume and cover letter. CellMark will also process data about you that you have provided to us or that has been collected from a third party during the recruitment process. Such data can be the test results from a personality test, information from your interview and information from your references.

### **Who can gain access to your personal data?**

As a starting point, your data is processed only by CellMark. CellMark also shares your data with relevant companies in the company group, e.g. if you apply for a job at one of our group companies.

[If you apply for a job at CellMark via LinkedIn, CellMark will share your personal data with LinkedIn. Under these circumstances, LinkedIn is the processor, which processes data on behalf of CellMark (the controller).]

[If you apply for a job at CellMark and are redirected to the webpage of a recruitment agency, [Name of the agency], CellMark will share your personal data with them. Under these circumstances, [Name of the agency] is the processor, which processes data on behalf of CellMark (the controller).]

[If you do a written personality test, you will do it through [Company name], that CellMark has contracted to carry out the test. CellMark will share your personal data with [Company name] and [Company name] is the processor, which processes data on behalf of CellMark (the controller).]

CellMark also shares your information with internal and external IT suppliers. Also, other suppliers CellMark contracts will gain access to all of the personal data CellMark processes about you, however, only to the extent necessary to fulfill the suppliers' obligations in relation to CellMark.

As a general rule, CellMark only processes your personal data within the EEA. However, CellMark intends to transfer your personal data to [state recipient]. Decision by the commission regarding adequate protection [exists/lacks]. In the event that your personal data is transferred to a recipient in a third country or to an international organisation CellMark will take suitable and appropriate safeguards to protect the personal data being processed. For further information about our protection measures in connection with the transfer of personal data to third countries, see the intranet.

## **For how long does CellMark process your data?**

### **Processing of personal data during the recruitment process**

The personal data that CellMark processes for the purpose to administer your application for a specific position, is processed as long as it is necessary for the recruitment process.

Therefore, as a starting point, CellMark will erase your personal data when the recruitment process is completed. However, CellMark will process your personal data for a longer time if it is necessary for us to be able to defend us against future discrimination claims, for further information, see below.

If you withdraw your application during the recruitment process or notifies us that you are no longer interested in the position you have applied for, CellMark will erase your personal data and stop the processing. The same applies, if CellMark contacts you to inform you that you are not of interest for the job concerned.

### **Processing of personal data after the recruitment process is completed**

CellMark will process personal data of you even for the time after the recruitment process is completed if it is necessary for us to be able to defend us against future discrimination claims. For this purpose CellMark will store your personal data for two years, according to law. In the event of an unsettled discrimination dispute with you, CellMark may process your personal data longer than two years, however no longer than until the dispute is settled.

If you have given your consent, CellMark will continue to process your personal data even after the recruitment process is completed to be able to match your profile to future positions at CellMark and to be able to contact you to see if you are interested in working at CellMark. For this purpose, CellMark will process your personal data for six months.

If you withdraw all or part of a given consent of our processing of personal data, CellMark will stop the processing for the purpose to match your profile to future positions at CellMark.

If you have submit an open job application at CellMark without applying for a specific position, Cellmark will process your personal data for six months.

If you do a written personality test during the recruitment process and later are taken into CellMark's employ, CellMark will continue to process the test results during the term of your employment with us. Under these circumstances, CellMark will process your personal data in accordance with the conditions in the privacy policy for employees.

### **Processing of personal data when you register a general job application**

When you have registered a general job application at CellMark, without applying for a specific position, and after you have consented to our processing of your personal data, CellMark will process your data for six months. CellMark will process your personal data to be able to match your profile to future positions at CellMark.

If you withdraw all or part of a given consent of our processing of personal data, CellMark will erase your data and stop the processing.

## **How can you affect our processing of your personal data?**

According to the General Data Protection Regulation (GDPR), you are entitled to a variety of rights regarding our processing of your personal data. You have the right of access, right to rectification and erasure of personal data. You also have the right to require restriction of processing as well as the right to object to the processing. You are also entitled to data portability and the right to submit a complaint to a supervisory authority. For a more detailed description of the data protection rights, please see below.

### **Right of access**

In accordance with the General Data Protection Regulation (GDPR), you are entitled to have the right of access. This means that you have the right to obtain confirmation as to whether or not personal data concerning you is being processed by CellMark and, where that is the case, access to the personal data in accordance with the applicable data protection legislation.

### **Right to rectification**

If you believe the information CellMark processes about you is incorrect, you can request that CellMark correct it. You have, without undue delay, the right to obtain the rectification of inaccurate personal data concerning you. Taking into account the purposes of the processing, you also have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

### **Right to erasure ('right to be forgotten')**

If you believe that the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, you may ask us to erase your information. You may also ask us to erase your personal data if:

- you withdraw your consent on which the processing is based and where there is no other legal ground for the processing;
- you object to the processing where the legal basis is our legitimate interest, and there are no overriding legitimate grounds for the processing;
- the personal data have been unlawfully processed;
- the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which CellMark is subject; or
- the personal data have been collected in relation to the offer of information society services.

CellMark will erase your personal data upon such request unless CellMark has the right to keep the personal data in accordance with the General Data Protection Regulation (GDPR).

**Right to restriction of processing**

You also have the right to ask us to restrict our processing where one of the following applies:

- the accuracy of the personal data is contested by you, for a period enabling CellMark to verify the accuracy of the personal data;
- the processing is unlawful and you oppose the erasure of the personal data and requests the restriction of their use instead;
- CellMark no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defense of legal claims; or
- You have objected to processing pending the verification whether the legitimate grounds of CellMark override your legitimate grounds.

**Right to object**

You have the right to object to the processing of your personal data when the processing is necessary for the purposes of our legitimate interest. You are also always right to object to our processing for marketing purposes.

**Right to withdraw consent**

At any given time, you have the right to withdraw all or part of a given consent on the processing of personal data when the legal basis for the processing is your consent. Withdrawal of consent may, however, have no effect on our processing of your personal data for the period prior to when the recall took place. Please note that if you as a participant and parent or legal guardian withdraw your consent to the processing of special categories of personal data, CellMark will not be able to complete the booking or fulfill our commitments in relation to you.

**Right to lodge a complaint to a supervisory authority**

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the EU/EEA member state of your habitual residence, place of work or of an alleged infringement of the General Data Protection Regulation. In Sweden the supervisory authority is The Swedish Data Protection Authority.

**Right to data portability**

You are also entitled to receive personal data concerning you that you have provided to us in a structured, commonly used, machine-readable and interoperable format, and to transmit it to another controller (data-portability). This right will apply when:

- the processing is based on consent or on a contract; and

- the processing is carried out by automated means.

In exercising your right to data portability you have the right to have personal data transmitted directly from CellMark to another controller, where technically feasible.

### **Questions or queries?**

You are welcome to contact us by calling telephone number +46(0)31-100 300 or sending an e-mail to [dataprotection@cellmark.com](mailto:dataprotection@cellmark.com) if you have any questions or queries regarding CellMark's processing of your personal data.

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*This Privacy Policy for Candidates was adopted by CellMark AB on 10.02.2020*