

# **Data Protection Notice in the Application Process in accordance with Articles 13 and 14 of the General Data Protection Regulation (GDPR)**

Dear Applicants,

We are pleased that you are interested in us and would like to apply. Below you will find information on how we handle the personal data of your application. We explain which categories of data we collect about you, why this is necessary, who receives this data, how long it is stored, and what rights you have regarding your data.

## **1. Controller – Name and Contact Details**

Xenios Management GmbH

Getreidemarkt 14

1010 Vienna

Austria

phone number: 0043 664 436 85 04

email: [office@xenios-hospitality.com](mailto:office@xenios-hospitality.com)

## **2. Categories of Personal Data**

The following categories of personal data are processed:

- personal data (e.g., first and last name, date of birth, nationality)
- address and contact details (e.g., home address, private phone number, mobile number, and email address)
- educational and professional background data (e.g., professional training, academic background)
- work certificates, qualifications, certificates, and other professional experiences, references
- curriculum vitae (CV) possibly with an application photo
- data collected during correspondence
- other data that you provide to us in your CV or during the application process (e.g., interests, voluntary activities)

## **Data Protection Notice in the Application Process in accordance with Articles 13 and 14 of the General Data Protection Regulation (GDPR)**

### **3. Source of Personal Data**

We process personal data that we have received from you as part of your application.

### **4. Purposes and Legal Bases of Processing**

We process your personal data in accordance with Article 6 (1) sentence 1 lit. b of the General Data Protection Regulation (GDPR) in conjunction with exclusively for the purpose of filling a position and conducting the application process. This includes, for example, managing your application documents, assessing your qualifications, conducting interviews, and making hiring decisions.

You have the opportunity to apply for a position with us through our career portal. We welcome your application and require certain information from you to determine if we can offer you a suitable position. We only process the personal data you provide when completing your application, including academic titles, name, contact details, interests, resume, cover letter, recommendation letters, and other information and documents you provide or that we obtain from third parties (e.g., search engines, social networks).

For the purposes of applicant search, submission of applications, and selection of applicants, we may use applicant management or recruiting software and platforms and services from third-party providers in compliance with legal requirements.

Please note that your data may be processed by one of our service providers (so-called "processors"; see point 7) on behalf of Xenios. These processors include, in particular, IT service providers, providers of tools and software solutions, and similar service providers. Our processors process your data only in accordance with our instructions and for the purposes stated in this privacy notice. The legal basis for the processing of your personal data is your consent, which you can revoke at any time (Legal basis: Article 6 (1) lit. a GDPR).

Please note that we may have to terminate the application process if you do not provide us with the data required for using the career portal or do not provide it sufficiently. Additionally, we process your data for the duration of the application process and in the event that legal claims can be made against us (at least six months after a rejection due to potential claims under the General Equal Treatment Act (AGG)). Your data may also be stored beyond this period if you consent to further storage. You can apply with us via the following link:

<https://xenios-hospitality.com/en/jobs/>

## **Data Protection Notice in the Application Process in accordance with Articles 13 and 14 of the General Data Protection Regulation (GDPR)**

If you give us consent to process your personal data for inclusion in the applicant pool, the legality of this processing is based on your consent under Article 6 (1) sentence 1 lit. a GDPR. Your consent is voluntary, and you can withdraw it at any time with future effect. Your data will then be deleted.

If disclosure is required to fulfill legal obligations, we process your data in accordance with Article 6 (1) sentence 1 lit. c GDPR.

If necessary, we process your data in accordance with Article 6 (1) sentence 1 lit. f GDPR to protect our legitimate interests. This includes measures for building and facility security or the assertion of legal claims and defense in legal disputes. We also transmit applicant data within our corporate group in accordance with Article 6 (1) sentence 1 lit. f GDPR in conjunction with Recital 48 GDPR. We have a legitimate interest in centrally managing applicant data and, for example, assigning personnel responsible for the application process across the group and transmitting your documents to companies within the corporate group so that they can contact you if interested. You have the right to object to this processing under Article 21 GDPR, see point 10.

In addition, the processing of health data may be required for assessing your ability to work under Article 6 (1) sentence 1 lit. b, 9 (2) lit. h GDPR in conjunction with Section 22 (1) lit. b of the German Federal Data Protection Act (BDSG).

### **5. Categories of Recipients**

The following recipients receive your personal data:

- We share your personal data within our company exclusively with the departments and individuals who need this data to fulfill the purposes described above.
- Xenios Management GmbH, Loisium Resort Langenlois Betriebs GmbH, Ehrenhausen Hotel Betriebs GmbH, Champagne Hotel Exploitation SAS, Mayburg Hotel Betriebsgesellschaft mbH, Four Peaks Hospitality Tegernsee GmbH, Passanger Hotel Betriebsgesellschaft mbH, MRP Consult GmbH, Four Peaks Hospitality GmbH, and mDrei Holding GmbH are part of the Xenios Group.

We share your application data within the group with the following companies:

- Xenios Management GmbH
- Mayburg Hotel Betriebsgesellschaft mbH
- Four Peaks Hospitality Tegernsee GmbH

## **Data Protection Notice in the Application Process in accordance with Articles 13 and 14 of the General Data Protection Regulation (GDPR)**

- Passanger Hotel Betriebsgesellschaft mbH
- MRP Consult GmbH
- Four Peaks Hospitality GmbH
- Hit The Sky Hotelbetriebsgesellschaft mbH
- mDrei Holding GmbH
- Additionally, we share your data with companies and employees of companies that process data on our behalf and under our instructions (data processors). We use such service providers in the areas of IT and telecommunications. The categories of recipients in this case are internet service providers and the provider of the applicant management and software system Recrutee.

Any other data transfer to recipients outside the company occurs only if the transfer is necessary to fulfill legal obligations.

### **6. Transfer to Third Countries**

We do not transfer any personal data to third countries.

### **7. Duration of Storage of Personal Data**

We retain your personal data for six months, starting from the date of receipt of the rejection letter. This does not apply if you consent to a longer storage period (e.g., inclusion in a candidate pool). In such cases, we will store the data for two years unless you revoke your consent.

### **8. Obligation to Provide Personal Data**

There is no contractual or legal requirement to provide personal data, nor any obligation to do so. However, if you do not provide your personal data, we will not be able to consider your application.

### **9. Rights of Data Subjects**

#### **a) Right to withdraw your consent under Article 7(3) sentence 1 GDPR**

You can revoke your consent to the processing of your personal data at any time with effect for the future. The revocation of consent does not affect the lawfulness of processing based on consent before its withdrawal.

## **Data Protection Notice in the Application Process in accordance with Articles 13 and 14 of the General Data Protection Regulation (GDPR)**

### **b) Right of access under Article 15 GDPR**

You have the right to obtain confirmation as to whether or not we are processing personal data concerning you. If this is the case, you have the right to access this personal data and to obtain specific information, such as the purposes of processing, the categories of personal data concerned, the recipients, and the envisaged duration of storage or the criteria for determining that duration.

### **c) Right to rectification and completion under Article 16 GDPR**

You have the right to obtain without undue delay 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.

### **d) Right to erasure ('right to be forgotten') under Article 17 GDPR**

You have the right to obtain the erasure of personal data concerning you if the processing is not necessary. This applies, for example, when your data are no longer necessary for the original purposes, you have withdrawn your consent for data processing, or the data have been unlawfully processed.

### **e) Right to restriction of processing under Article 18 GDPR**

You have the right to obtain restriction of processing, for example, if you believe that your personal data are inaccurate.

### **f) Right to data portability under Article 20 GDPR**

You have the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used, and machine-readable format.

### **g) Right to object under Article 21 GDPR**

**You have the right to object to processing of your personal data for reasons arising from your particular situation. This right applies only in cases where we are processing your data based on a legitimate interest. If you object and we do not have compelling legitimate grounds for processing, we will no longer process the personal data for that purpose.**

### **h) Automated individual decision-making, including profiling, under Article 22 GDPR**

## **Data Protection Notice in the Application Process in accordance with Articles 13 and 14 of the General Data Protection Regulation (GDPR)**

You will not be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

### **i) Right to lodge a complaint with a supervisory authority under Article 77 GDPR**

You have the right to lodge a complaint with a supervisory authority at any time, for example, if you believe that the processing of your personal data does not comply with data protection regulations.

#### **Responsible Data Protection Authority for Austria:**

Austrian Data Protection Authority  
Barichgasse 40-42  
1030 Vienna

phone number: +43 1 52 152-0

email: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)

website: <https://www.data-protection-authority.gv.at/https://www.dsb.gv.at/>

File a complaint with a data protection authority in your country or region, or where an alleged breach of applicable data protection laws has occurred. For a list of national data protection authorities within the EEA, please visit the following link:

<https://ec.europa.eu/newsroom/article29/items/612080>