



## Data Protection Notice for the Merz Career Website

### I. Merz as controller for the processing of your personal data

The companies of the Merz group attach great importance to the protection of personal data. In the following data protection notice, we inform you about how Merz processes your data in the context of using the application management software and website (<https://career.merz-therapeutics.de>) provided by softgarden e-Recruiting GmbH ("softgarden"), including the subpages of the website.

We process your data in accordance with the data protection regulations of the General Data Protection Regulation (Regulation (EU) 2016/679; "GDPR") and the applicable national data protection law. If you are located in Germany, apply for a position at a German Merz entity and / or for a position in Germany, the German Federal Data Protection Act ("BDSG") applies, as well.

#### Controller

The controller for the processing of your personal data described in this section pursuant to Art. 4 No. 7 GDPR is the respective Merz company that offers the position you apply for via the website.

#### For example:

If you apply for a position at Merz Pharmaceuticals GmbH, the controller is **Merz Pharmaceuticals GmbH**, Eckenheimer Landstraße 100, 60318 Frankfurt am Main, Germany.

If you apply for a position at Merz Therapeutics GmbH, the controller is **Merz Therapeutics GmbH**, Eckenheimer Landstraße 100, 60318 Frankfurt am Main, Germany.

If you apply for a position at Merz Pharma (Schweiz) AG, the controller is **Merz Pharma (Schweiz) AG**, Hegenheimermattweg 57, 4123 Allschwil, Switzerland.

If you apply for a position at Merz Pharma Austria GmbH, the controller is **Merz Pharma Austria GmbH**, Guglgasse 17, 1110 Vienna, Austria.

If you apply for a position at Merz Pharma UK Ltd., the controller is **Merz Pharma UK Ltd.**, 260 Centennial Park, Elstree Hill South WD6 3SRElstree Hertfordshire, UK.

If you apply for a position at Merz Pharma España, S.L., the controller is **Merz Pharma España, S.L.**, Av. Bruselas 5, 28108 Alcobendas, Madrid, Spain.

If you apply to Merz Pharma Italia s.r.l. - Therapeutics, the controller is **Merz Pharma Italia s.r.l. - Therapeutics**, Via Fabio Filzi 25/A, 20124 Milano, Italy.

If you apply to Merz Pharma France, the controller is **Merz Pharma France S.A.S.**, Tour Echo 2 Avenue Gambetta, CS 70083, F-92066 Paris La Défense, France.

If you apply at Merz Pharma Benelux B.V., the controller is **Merz Pharma Benelux B.V.**, Hoevestein 36 D 4903 Scoosterhout, Netherlands.

If you apply at Merz Therapeutics Nordics AB, the controller is **Merz Therapeutics Nordics AB**, Linnégatan 18, 114 47 Stockholm, Sweden.

Unless expressly stated otherwise, the following statements apply to all companies of the Merz group that act as controllers with regard to personal data of applicants. The respective company responsible for processing your personal data is hereinafter referred to as "**Merz**" or "**we**".

General information regarding the processing of your personal data in the context of the application process at Merz can be found at the following link: [www.merz.com/fin](http://www.merz.com/fin).

Softgarden processes personal data on behalf of and in accordance with the instructions from Merz in connection with the management of applications.

#### **Collection and use of your data**

The subject of data protection is personal data. According to Art. 4 No. 1 GDPR, this is any information relating to an identified or identifiable natural person. This includes, for example, information such as name, postal address, e-mail address or telephone number, but also usage data, if applicable. Usage data is data that is required to use our websites, such as information about the start, end and extent of use of our website and login data.


The provision of personal data in the application process is neither legally nor contractually required. You are therefore not obliged to provide information about your personal data. Please note, however, that these are required for the conclusion of an employment relationship with Merz. If you do not provide us with personal data prior to entering into an employment relationship, we will not be able to enter into an effective employment relationship with you.

As part of your application process and when using the softgarden website and software, we may process the following personal data about you:

- ***Automated data collection to operate the Merz Therapeutics career website***

When you access our Merz Therapeutics career website at <https://career.merz-therapeutics.de/en/> including its subpages ("**Merz Therapeutics Career Website**"), data may be transmitted automatically via your internet browser for technical reasons, such as the date and time of access, browser type and version, operating system used, amount of data sent, IP address of access and interaction taking place via the application. At no time does Merz assign this data to a specific person.

Merz uses this information to establish the connection of your device with our servers and to enable you to use the website. The legal basis for this processing is the provision of the service you have requested (Art. 6 para. 1 lit. b) GDPR). The information is also



stored in connection logs for a limited period of time to ensure the security and proper functioning of the website. The legal basis for this processing is Art. 6 para. 1 lit. f) GDPR. Our legitimate interest is the protection of our systems. **You have the right to object to such processing at any time on grounds relating to your particular situation.**

Softgarden may also collect files recording interactions taking place via this website (system logs) for operational and maintenance purposes, or use other personal data (e.g. IP address) for this purpose. For information on this, please refer to softgarden's privacy policy, which you can access here: <https://softgarden.com/en/privacy-website> .

- ***Application process within the Merz Therapeutics Career Website / Your profile in the application management system***

Merz uses software linked to the Merz Therapeutics Career Website and provided by softgarden for an application management system that is accessible exclusively to selected Merz employees. Before submitting an initial application via the Merz Therapeutics career site, you will be asked to set up a profile in the application management system and to provide certain personal data (e-mail address, user name, password). As part of the application process, you may enter the following additional personal data:


- Contact details (address, telephone number)
- Curriculum vitae data
- School education
- Vocational training
- Work experience
- Language skills
- Profiles in social networks (e.g. XING, LinkedIn, Facebook)
- Documents related to applications (application photos, cover letter, references, work samples, etc.)

By logging into the application management system, you can, for example, retrieve the information you have entered, view the status of your application and edit your details and documents.

The legal basis for processing the data is Sec. 26 para. 1 sentence 1 BDSG in conjunction with Art. 88 GDPR (for Germany) and the corresponding national regulations for the other Merz Affiliates.

- ***Internal administration of your application within the framework of the application management system***

When using the internal HR application management system as part of the application process, the following additional personal data of you will be processed by Merz:

- Internal evaluation criteria
  - Stage of the application process
  - Indication of whether an invitation to the "Talentcube" platform was sent out
  - Classification as "rejection" and "invitation"
- 

- Feedback from the applicant on the application process/interview (obtained via separate e-mail with integrated link)

The legal basis for the processing of this data is Sec. 26 para. 1 sentence 1 BDSG in conjunction with Art. 88 GDPR (for Germany) and the corresponding national regulations for the other Merz Affiliates.. Merz processes your personal data exclusively for the purpose of processing your application and deciding on a possible employment relationship with you.

The processing of personal data for the technical operation of the software connected to the application management system is carried out exclusively by softgarden on behalf of Merz.

- **Social media buttons**

After clicking on one of the social media buttons integrated into the Merz Therapeutics Career Website, you will be redirected to the respective networks, where you will be taken to their login pages. After logging in, you will be automatically redirected to the company profile of "Merz Therapeutics" in the respective social network.

These buttons do not represent plug-ins and do not transmit any personal data directly to the operators of the social networks:

- LinkedIn (<https://www.linkedin.com/legal/privacy-policy?trk=uno-reg-join-privacy-policy>)
- Xing (<https://privacy.xing.com/en/privacy-policy>)
- Kununu (<https://www.kununu.com/de/merz-therapeutics>)

Under the links provided, you can find out how the aforementioned social networks process your personal data. We have no influence on the processing of your personal data by the social networks.

- **Application via social networks**

If the function "Apply with LinkedIn" or "Apply with Xing" is integrated into the Merz Therapeutics Career Website, you will be given the opportunity to fill in a softgarden application form with your personal data stored in the respective social network (e.g. CV, picture).

You can find out how the social networks mentioned process your personal data under the links provided:

- LinkedIn (<https://www.linkedin.com/legal/privacy-policy?trk=uno-reg-join-privacy-policy>)
- Xing (<https://privacy.xing.com/en/privacy-policy>)

We have no influence on the processing of your personal data by the social networks.

- ***Activation of the Merz Onboarding App***

If you are hired by one of the Merz companies mentioned in Section I. after the application process, Merz Therapeutics GmbH will process your e-mail address stored in Softgarden to provide you with an invitation link to our Merz Onboarding App. This will provide you with interesting information about our Merz world before your first day of work (e.g. first day of work, international set-up, place of work, tips on how to get started). However, our onboarding app is also designed to support you with administrative processes. For example, you can see tasks they need to complete in the onboarding process to start their career at Merz.

You will find more information about the processing of your personal data in the Onboarding App when opening the download link of the app.

The legal basis for this processing is Art. 6 para. 1 lit. f) GDPR. Our legitimate interest in the processing is the efficient and clear handling of the onboarding process of new employees with the help of a digital app. **You have the right to object to such processing at any time on grounds relating to your particular situation.**


- ***Inclusion in the internal Merz "Talent Pool"***

If your application could not be considered by Merz, you may receive a link to your e-mail address stored in the application management system in order to register in a "Talent Pool". In order to register in the "Talent Pool", the following information will be requested: title, academic title (optional), first name, last name, e-mail address, job fields of interest, current career level, preferred location(s), XING profile or CV. Registration in the "Talent Pool" means that all your data already recorded in the application management system for the purpose of your original application will be transferred to the "Talent Pool", which is also located in the application management system, and stored.

The legal basis is Art. 6 para. 1 lit. a) GDPR. Inclusion in the "Talent Pool" takes place on a purely voluntary basis with your consent through the use of an opt-in link. You can revoke your consent at any time. Furthermore, we will ask you separately by e-mail after 6 months whether you still wish to be part of the "Talent Pool". If you decline, your personal data stored in the "Talent Pool" will be deleted.

- ***Application videos / video interviews with "Talentcube"***

We use a platform of Talentcube GmbH, Leonrodplatz 2, 80636 Munich, Germany ("**Talentcube**") to offer you the opportunity to record application videos of yourself or to conduct video interviews, which are automatically transferred to our internal application management system. The applicant receives the invitation to create a video



by email, which contains a link to access a platform managed by Talentcube. The applicant's surname, first name, title and e-mail address will be processed. The duration of the storage of your personal data associated with the registration and video recording is linked to the duration of the storage of your other application data.

The legal basis for this processing is Art. 6 para. 1 lit. f) GDPR. Our legitimate interest in the processing is the efficient and clear handling of the application process and the provision of a digital interview or presentation opportunity. **You have the right to object to such processing at any time on grounds relating to your particular situation.** If you are not interested in the recording of an applicant video, this will not result in any disadvantages for you.

- ***Recruiting tests with "HR Diagnostics"***

Merz may, with your express consent, conduct a recruiting test with you for the particular job for which you are applying. The test will collect personal data from you, such as your name, email address, job ID of the position for which you are applying, and the answers you provide in the test.

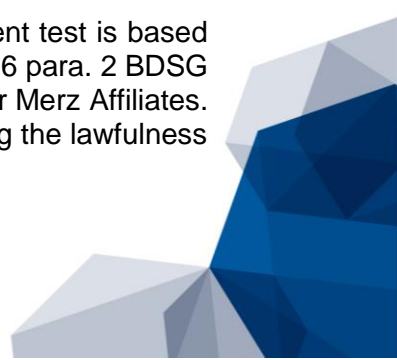
The recruitment tests examine specific skills and attributes relevant to the particular position being advertised. For example, the following skills may be tested: The questions in the tests will not examine any other skills or characteristics that are not relevant to the specific advertised position and the selection of a suitable candidate.


The results of the tests are calculated automatically. For this purpose, the scores behind the answers are summed up and an overall score as well as subscores for subscales are formed. For the evaluation of the results, these are compared with corresponding norm groups with similar characteristics/experiences. The results are also made available to the participants in the form of a download. This shows on the one hand a ranking of the characteristics from highest to lowest expression, as well as a detailed content description of the individual characteristics. The test results are used exclusively to assess your suitability for the position for which you have applied. However, a final decision on filling the respective position will not be made solely on the basis of the test results. The test results are personally reviewed and evaluated by Merz employees. This is not an automated decision-making process. The test results are made available to you.

You are not legally obligated to participate in a recruiting test and to give us your consent in this regard. The granting of consent is voluntary. However, please note that if you do not participate in a recruitment test, we may not be able to consider your application further in order to ensure comparability of suitability between applicants.

The tests are conducted by HR Diagnostics AG, Königstraße 20, 70173 Stuttgart, on our behalf. HR Diagnostics AG acts in accordance with our instructions.

The processing of your personal data in the context of the employment test is based on your consent (Art. 6 para. 1 lit. a) GDPR in conjunction with Sec. 26 para. 2 BDSG (for Germany) and the corresponding national regulations for the other Merz Affiliates. You have the right to revoke your consent at any time without affecting the lawfulness of the processing carried out until the revocation.





The result of your test and the other personal data processed as part of the test will be deleted no later than 6 months after the test has been carried out if you do not enter into an employment relationship with us. If you start an employment relationship with us, the deletion is linked to the duration of the storage of your other applicant data. If you revoke your consent to the processing of your personal data at an earlier point in time, we will immediately delete your personal data in connection with the recruitment test if no other legal basis for data processing applies.

- ***Appointment scheduling and calendar integration using "Cronofy"***

We use an integrated service provided by Cronofy Limited, 9a Beck Street, Nottingham, NG1 1EQ, UK ("**Cronofy**"), for the purpose of scheduling and inviting you to appointments ("Smartcalendar"). If we invite you to an interview via this function, you will receive an appointment invitation via email created through Cronofy. This will transmit your email address as well as the title of the appointment, a description and a location where the appointment is to take place to Cronofy.

The legal basis for the processing is Art. 6 para. 1 lit. f) GDPR, as our legitimate interest is to integrate appointment scheduling into our application management system and to plan and manage job interviews and other appointments more efficiently. **You have the right to object to such processing at any time on grounds relating to your particular situation.** If you do not wish to have data processed by Cronofy or to receive further information, please indicate this in advance of the appointment coordination. The data processing is encrypted and your data is stored on a server located in Germany.


- ***Softgarden salary statistics module***

You might have the opportunity to provide feedback on your salary expectations and salaries offered to you at various stages of the application process. If you provide such feedback, the information will be stored without any direct link to your name and contact details. The information submitted in this process will only be shared with Merz in anonymized form. However, before this anonymized information is passed on to Merz, there is a possibility that softgarden can assign your details to your other data.

The legal basis for processing the data before it is anonymized is Art. 6 para. 1 lit. f) GDPR, as Merz's legitimate interest is to collect data for statistical purposes in order to improve the application process in the future. **You have the right to object to such processing at any time on grounds relating to your particular situation.**

- ***Feedback module***

As an accompaniment to your application, we can ask you to provide feedback on the application and/or onboarding process after an interview and three months after you have been hired. For this purpose, we will send you an invitation link that will take you to the rating system from easyfeedback GmbH to submit your feedback. The purpose of the processing is the further development and optimization of our recruiting and application processes and the company image.



The following data is processed automatically for this purpose:

- Contact details (name, email address)
- Title of the position for which you have applied
- Location of the position
- Job category
- Applicant ID

The feedback itself is stored in anonymized form in the database. A personal reference is not made. In addition to a star rating for individual questions, you have the option of leaving comments. We expressly ask you not to leave any personal data, i.e. any information by which you could be identified, in the comments.

The information collected in this way can be displayed together with your feedback in anonymized form on our evaluation page or transmitted to external partners such as kununu.

The submission of feedback is voluntary. If you decide to provide your feedback, the legal basis for the processing of your personal data is your consent (Art. 6 para. 1 lit. a) GDPR (for employees of Merz in conjunction with Sec. 26 para. 2 BDSG for Germany and the corresponding national regulations for the other Merz Affiliates)). You may revoke your consent at any time.

- ***Sanctions list screening "SANSSCREEN"***

Through softgarden, we also use the "SANSSCREEN" service of BEX Components AG, Gartenstraße 97 in 73430 Aalen, Germany, to compare applicant data (first name, last name and, if applicable, address) against so-called sanctions lists. Sanction lists are centrally compiled and maintained lists of persons, associations or companies against which official economic or legal restrictions have been imposed. Various regulations require us to check our business partners, suppliers and also our (potential) employees against these lists. If the comparison shows that an applicant is on a sanctions list, softgarden will notify us. We only receive the information that the applicant is on a specific sanctions list and no further data. If the applicant's name is not on any sanctions list, we will not receive notification of the result of the matching or any other information related to the matching.

The legal basis for this processing is our legitimate interest (Art. 6 para. 1 lit. f) GDPR) or our legal obligation (Art. 6 para. 1 lit. c) GDPR in conjunction with Sec. 26 para. 1 sentence 1 BDSG for Germany and the corresponding national regulations for the other Merz Affiliates), insofar as such an obligation exists in relation to the specific job for which you are applying. We only use the data to ensure that you are not on any sanctions list and that we could legally employ you. We need this information to fulfill our legal obligations and to avert possible sanctions and other economic or legal risks for our company. This is also our overriding legitimate interest.

If you do not want your data to be used for a sanctions list comparison, we regret that it is not possible for you to apply.



## **II. softgarden as the controller for the processing of your personal data**

As described in section I, Merz uses software and the website for application management provided by softgarden e-Recruiting GmbH, Tauentzienstr. 14 10789 Berlin ("**softgarden**").

Insofar as personal data is collected by softgarden for its own purposes, e.g. in connection with the integration of cookies, Google services and Google Analytics, for the further development of softgarden products, for the improvement of services offered, etc., softgarden is the controller pursuant to Art. 4 No. 7 GDPR. Merz has no influence on the data processing by softgarden.

For further information on data processing by softgarden for its own purposes, please refer to softgarden's privacy policy, which you can access here: <https://softgarden.com/en/privacy-website>. If you have any questions or suggestions regarding data protection, please contact softgarden directly.

## **III. Transfer of your personal data to third parties**


Merz uses the support of specialized technical service providers. These service providers are legally and contractually obliged to ensure a high level of data protection. The legal basis for the cooperation with these service providers is Art. 28 GDPR.

In the area of central applicant management, the HR department of Merz Therapeutics GmbH processes personal data of applicants on behalf of other responsible Merz companies which have advertised the respective position. The processing by Merz Therapeutics GmbH, insofar as it does not concern the positions advertised by Merz Therapeutics GmbH itself, is carried out in accordance with the instructions of the respective responsible Merz entities.

Merz will only transfer the personal data listed in this data protection notice to countries within the European Economic Area, the European Union, Switzerland and to countries for which an adequacy decision of the European Commission exists.

## **IV. How long do we store your personal data**

Your personal data will be stored for the duration of the application process. After completion of the application process, the data will be stored for a further 6 months in the event of employment and then transferred to a separate and independent Merz personnel management system. In the event of a rejection, your personal data will be stored for a further 6 months. After the retention period has expired, the data will be anonymized and



any reference to individuals will be removed in order to be available for subsequent statistical evaluations.

If you give us feedback on the application process via the feedback tool, your feedback will be stored for a longer period of time and possibly published. However, your personal data will be anonymized in the feedback.

If you have consented to the inclusion of your applicant data in the "Talent Pool", your data will be stored in the "Talent Pool" for 6 months. Furthermore, after 6 months we will ask you separately by email whether you still wish to be part of the "Talent Pool". If you decline, your personal data stored in the "Talent Pool" will be deleted.

## V. Your data protection rights

Pursuant to the GDPR, you have a right to access to the personal data stored by Merz and, if the respective legal requirements are met, a right to rectification, erasure or restriction of processing, as well as a right to receive the personal data you have provided in a structured, commonly used and machine-readable format and/or to transmit it to another controller or to have it transmitted by Merz to such controller.

You may also contact a supervisory authority with complaints about data processing carried out by Merz.


If you have given us your consent to process your personal data, you may withdraw this consent at any time. The withdrawal of consent does not affect the lawfulness of the processing carried out on the basis of the consent before its withdrawal.


**Insofar as the processing of your personal data is based on our legitimate interest within the meaning of Art. 6 para. 1 lit. f) GDPR, you have the right to object to the processing of the personal data concerning you at any time on grounds relating to your particular situation. Merz will then no longer process the personal data, unless Merz can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves the purpose of asserting, exercising or defending legal claims.**

## VI. Contact and status of this data protection notice

In order to exercise the aforementioned rights and in the event of questions or complaints regarding the processing of personal data, please contact the controller for the processing of your personal data named in Section I.

You may also contact the respective responsible data protection officer using the contact details provided there.





You can additionally contact Merz Therapeutics GmbH at [datenschutz-therapeutics@merz.de](mailto:datenschutz-therapeutics@merz.de) and the other companies of the Merz group named in Section I. at [dataprotection@merz.de](mailto:dataprotection@merz.de).

For questions regarding data processing by softgarden as controller, please contact softgarden directly.

The status of this data protection notice is **March 2022**.

The progress of Merz's business activities may also affect the handling of personal data. We therefore reserve the right to change this information in the future within the framework of the applicable data protection laws and, if necessary, to adapt it to changed data processing realities. We will inform you separately here of any significant changes to the content.

