

PENTA HOTELS
APPLICANT PRIVACY NOTICE

Thank you for your interest in our Company. Penta Hotels Worldwide GmbH and its affiliated group companies (collectively, “Penta”, “we”, “our,” or “us”) are committed to protecting your personal data responsibly and in compliance with applicable privacy and data protection laws. This Applicant Privacy Notice (“Notice”) applies to the information that Penta collects to facilitate your job application and includes your use of careers websites of external service providers with whom we cooperate, such as www.hotelcareer.de and others which refer to this Notice (herein after “Penta Careers Website”).

The Notice describes the types of personal data that Penta collects, how we use and share your personal data, and the rights available to you. This Notice also describes the measures Penta takes to protect the security of the data and how you can contact Penta about our data protection practices.

It is important for you to review this Notice before submitting your application and personal data to us for consideration for employment, intern or apprenticeship. By submitting your personal data and by using the Penta Careers Website, your personal data will be handled and protected in accordance with this Notice.

This Notice is intended to help you better understand the following:

1. General Information
2. What Personal Data We Collect
3. How We Collect Your Personal Data
4. Why We Use Your Personal Data
5. How Long is Your Personal Data Retained
6. Who Has Access to Your Personal Data
7. Cross-Border Data Transfers
8. Security and Integrity of Your Data
9. Law Applicable to your Application
10. Your Data Subject’s Rights and how to Submit Privacy and Data Protection Inquiries and Complaints
11. Updating Your Personal Data
12. Legal Effect and Changes to this Notice
13. Other Important Provisions
14. Contact Us

1. GENERAL INFORMATION

In some locations around the world, Penta manages hotels and other properties on behalf of an independent third-party owner (“Owner”). At those properties, the Owner is the actual employer and Penta performs recruiting and hiring functions and furthermore, manages day-to-day-operations on behalf of the Owner. You understand and agree that by applying and submitting your personal data, you may be applying for a position with a company other than Penta, where the Owner would serve as your employer.

When Penta collects personal data about you in connection with your application, the local Penta affiliate or hotel property for which you are applying for a position will act as the controller with respect to your personal data.

At Penta managed properties, Penta also shares your personal data with the Owner to facilitate your potential employment. When the Owner collects information from you, it also is a controller of your personal data. The use of your information by the Owner will be governed by its own privacy practices; these are however aligned with this Notice.

2. WHAT PERSONAL DATA WE COLLECT

A. Personal Data

“Personal Data” means any information relating to an identified or identifiable individual. When you apply for a position, Penta may collect the following Personal Data concerning you:

- Your name, physical address, e-mail address, phone number;
- Your resume, CV, cover letter;
- E-mail address and/or log-in identifiers for users of the Penta Careers Website;
- Educational background, job qualifications, professional and other work-related licenses and certifications;
- The position for which you would like to submit an application, details of how you heard about the position for which you are applying;
- Willingness to travel and/or relocate;
- Name and contact details of your recruiter (if any);
- Third-party employment references or referrals;
- Information relating to any previous applications you may have submitted to Penta or your current/prior work experience with us;
- Your national ID number or work permits to work in the jurisdictions for which you applied;
- Your photo or image;
- Your language skills and proficiency; and
- Any other information you elect to provide.

As a part of the application process, you may be asked questions about your willingness to submit to a background or criminal record check and/or medical examination as permitted by applicable law. Information about you also may be collected from third parties, for example, in connection with a background check or employment confirmation, and/or employment references, where permitted by applicable law. Contact us using the contact at Section 14 (“Contact Us”) below to learn more about Penta’s background checks policies.

If you provide us with Personal Data of a reference or any other individual as part of your application, it is your responsibility to obtain consent from that individual prior to providing the information to us.

B. Sensitive Personal Data

In the initial stage, we do not require or request what is considered sensitive personal information or “special categories of personal data” under applicable privacy laws (herein referred to as “Sensitive Personal Data”). Sensitive Personal Data refers to data that reveals an individual’s racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, or data concerning health or data concerning a person’s sex life or sexual orientation.

You are not required to submit this type of data as part of your online resume and application submission. If you decide to transmit this type of data to us during the application process, we reserve the right to delete such information from our databases.

Please note that during the application process, you may be asked about your willingness to complete a drug screen or medical examination or other background check in accordance with the position for which you may have applied. Any Sensitive Personal Data derived from such examinations are only processed with your explicit prior consent.

C. Voluntary Disclosure

Your provision of Personal Data in connection with job application is generally voluntary. If the collection of any of your Personal Data is mandatory – for example, to complete an application on the Penta Careers Website – we will let you know this before we collect it, as well as the consequences of failing to provide us with this information (if any).

Please note that if you decide not to provide information, it may affect the consideration of your employment, unless our receipt of such information is prohibited by applicable law.

3. HOW WE COLLECT YOUR PERSONAL DATA

Penta may collect your Personal Data when you apply for a position in the following ways:

- *Online.* When you apply online using the Penta Careers Website; when you participate in video interviews.
- *By Email.* When you send your resume, CV, job application and other information directly to a Penta hotel or other property via email.
- *Using Social Media.* When you apply for a specific job opening using your LinkedIn social media profile, certain Personal Data is shared with us consistent with your settings within the social media service, including your experience, education skills, and other information you make available on your profile.
- *From Recruiters or Referrals.* Your Personal Data may be shared with us by recruiters and third-party referrals.

4. WHY WE USE YOUR PERSONAL DATA

Penta needs to process your Personal Data in order to potentially enter into an employment contract or relationship with you. This includes for the following reasons:

- Process your application for employment;
- Communicate with you;
- Provide you with services and respond to your inquiries, including through the Penta Careers Website;
- Assess your qualifications for a particular position (including to interview, screen, and evaluate you);
- Verify your identity and employment eligibility; and
- Verify employment references and referrals.

Penta also processes Personal Data where it has a legitimate interest to do so or is legally obligated:

- To manage record-keeping and reporting obligations in connection with its applicant pool;
- For Penta managed properties, to communicate with Owners regarding qualified candidates for employment;
- If you are offered a position, conduct criminal, medical and credit background checks (if and to the extent necessary with respect to the respective function of the employee); and
- Comply with applicable law and regulations.

5. HOW LONG WE RETAIN YOUR PERSONAL DATA

We retain Personal Data for the period necessary to fulfill the purposes outlined in this Notice, based on customary human resource practices and in accordance with applicable legal and regulatory requirements.

If you are hired for a position, your Personal Data will at least be retained during the term of your employment (extended by the applicable statute of limitation and applicable statutory data retention obligations, as the case may be).

Even if you are not selected for the position for which you applied or if you did not apply for a specific position, we may retain your Personal Data in order to consider whether your skills are suitable for other job opportunities, in which case we would invite you to apply, provided you granted your consent into such extended retention. Otherwise, your Personal Data only will be retained during the applicable statute of limitation and in order to comply with applicable statutory data retention obligations, as the case may be.

Contact us using the contact details at Section 14 (“Contact Us”) below to learn more about our retention policies, withdraw your application for employment and/or your consent for continued retention of your Personal Data after the end of the recruitment process and to request us to purge your Personal Data. Please note that applicable law may require that we retain your resume or CV for a specific period even if you request that we do not consider your candidacy for employment.

6. WHO HAS ACCESS TO YOUR PERSONAL DATA

Penta will only grant access to Personal Data on a need-to-know basis. Authorized recruiters, managers or their designees, HR personnel responsible for the job openings, IT staff as may be required to manage the network access and external service providers operating the Penta Careers Website. Some of these people may be located in different jurisdictions, and as such, your Personal Data may be shared globally.

These service providers will be required to use appropriate measures to protect the confidentiality and security of Personal Data, as exemplified in Section 8 (“Cross-Border Data Transfers”) below.

We also may need to share your Personal Data with other third parties such as recruiters, references or referrals, agencies that facilitate background checks, or consultants for the following reasons:

- When it is necessary to involve a third-party service provider to facilitate or extend recruitment services, background check processing, and similar services;
- When explicitly requested by you;
- As required by a court order or any other legal or regulatory requirement, including in response to requests from public and government authorities outside your country of residence;
- As required in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business assets (e.g., in connection with any bankruptcy proceeding);
- To protect our operations or those of any of our affiliates;
- To protect our rights, privacy, safety or property, or that of our affiliates, you or others; and
- To comply with or in accordance with applicable law.

If we hire you, your Personal Data will become part of your employment file and may be transferred to the relevant Penta property. For Penta managed properties, your Personal Data also will be shared with Owners for purposes of facilitating your employment contract or employment relationship.

We do not collect or compile Personal Data for dissemination or sale to third parties for consumer marketing purposes.

7. CROSS-BORDER DATA TRANSFERS

Due to the global nature of Penta’s business, Penta may share your Personal Data with other Penta hotels and group companies in order to fulfill the purposes described in this Notice. This may imply a transfer to countries outside the EU where the local laws do not provide the same level of personal data protection as the country of your residence and/or the country where you are seeking employment.

Penta transfers your Personal Data across country borders and, in particular, from the EU to countries outside the EU in accordance with applicable local laws and regulations. To comply with EU data protection laws, Penta has entered into an Intercompany Data Transfer Agreement, under the terms of which all data importers outside the EU must process and protect all Personal Data received from the EU in accordance with standard contractual clauses (the “Clauses”), as approved by the European Commission.

The transfers of data to third-party providers are secured by implementing the safeguards required under the applicable data protection law (including contractual arrangements entered into with a third-party vendor). Third-party service providers are expected to protect the confidentiality and security of Personal Data, and only use Personal Data for the provision of services to Penta, and in compliance with applicable law.

Contact Penta at the contact details provided in Section 14 (“Contact Us”) below to obtain a redacted copy of the Clauses or relevant data transfer agreements (excluding commercial terms).

8. SECURITY AND INTEGRITY OF YOUR DATA

Penta maintains appropriate physical, procedural, administrative, organizational and technical security measures intended to prevent loss, misuse, unauthorized access, disclosure, or modification of your Personal Data under Penta’s control. To comply with data protection laws and our internal policies, we address information security at all appropriate technology infrastructure points.

While we endeavor to protect the security and integrity of the Personal Data we collect, we cannot guarantee or warrant that any information, during transmission through the Internet or while stored on our system or otherwise in our care, is 100% secure from intrusion by others. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us of the problem by contacting us in accordance Section 14 (“Contact Us”) below.

It is your sole responsibility to use the appropriate level of care whenever you communicate with us. Do not send sensitive information to us via email.

9. LAW APPLICABLE TO YOUR APPLICATION

The Penta Careers Website is operated from Germany. Accordingly, any Personal Data you submit to the Penta Careers Website will be collected in Germany and will be subject to German laws, notwithstanding the possible additional applicability of laws in your country of domicile.

However, if we share your Personal Data with an affiliate or Penta managed hotel property located in the country in which you are applying for a position, then that entity will handle your Personal Data in accordance with this Policy. Any hiring or other employment-related decisions will be made by the hiring affiliate or hotel property in accordance with the laws of the country where the job will be located.

10. YOUR DATA SUBJECTS RIGHTS AND HOW TO SUBMIT PRIVACY AND DATA PROTECTION INQUIRIES AND COMPLAINTS

To the extent required by applicable law, you are entitled to obtain access to information on the processing of your Personal Data, to object to processing of your Personal Data, make use of your right to data portability and to have your Personal Data rectified or deleted or their processing restricted. You also are entitled to withdraw any consent that you might have given with respect to the processing of your Personal Data at any time with future effect. These are known as “Data Subject Rights.”

If you would like to exercise your Data Subjects Rights or learn more about the processing of your Personal Data, please contact us under Section 14 (“Contact Us”). Penta will respond to your request(s) as soon as reasonably practicable, but in any case, within the legally required period of time.

If you are not satisfied with Penta’s response or believe that your Personal Data is not being processed in accordance with the law, you also may contact or lodge a complaint with the competent supervisory authority or seek other remedies under applicable law.

11. UPDATING YOUR PERSONAL DATA

Penta strives to maintain your Personal Data in a manner that is accurate, complete and up to date. However, you have an obligation to keep your Personal Data up to date and inform Penta of any significant changes to your Personal Data. Please contact us at the information provided in Section 14 (“Contact Us”) below if there are any changes in your Personal Data.

12. LEGAL EFFECT AND CHANGES TO THIS NOTICE

This Notice is not, nor is it intended to be, a contract, nor does it otherwise create any legal rights or obligations. Accordingly, Penta in its sole and absolute discretion, may amend, interpret, modify or withdraw any portion of this and related practices with or without notice, and in accordance with applicable law. Any change in this Notice will apply to all Personal Data in Penta’s possession regardless of whether such Personal Data was obtained before or after any such Notice change. If you need clarification regarding any aspect of this Notice, please contact us at the information provided in Section 14 (“Contact Us”) below.

13. OTHER IMPORTANT PROVISIONS

About Children. Except where permitted by local law, the Penta Careers Website is not intended for individuals under the age of 16.

Penta’s Commitment to Diversity. Cultivating a diverse and inclusive work environment is crucial to success. We encourage applicants from all cultures, ethnic origins, ages, disability status, sexual orientation and gender identity. Penta is an equal opportunity employer.

14. CONTACT US

If you have any questions or concerns regarding this Notice, Penta’s processing of your Personal Data or to make use of your Data Subjects Rights, please contact us using the following contact details:

Penta Hotels Worldwide GmbH, Mayfarthstrasse 15-19, 60314 Frankfurt am Main, Germany or privacy@pentahotels.com

Contact: dpo@pentahotels.com.

* * *