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## Candidates Privacy Policy

Pursuant to Law no. 677/2001 on the protection of individuals with regard to the processing of personal data and the free movement of such data ("**Data Protection Law**"), **Garmin Cluj S.R.L.**, a company incorporated and operating in accordance with Romanian law, having its registered office in 33-35-37 Calea Dorobantilor Street, Cluj-Napoca, Cluj County, registered with the Trade Register Office of Cluj under no. J12/2398/2006, having single registration no. RO 18850101 ("**Garmin**" or "**the Company**"), intends to manage, collect, process, use and transfer ("**Process**" or "**Processing**") your personal data in accordance with (i) the Labor Code, (ii) Law no. 319/2006 on safety and health at work, and (iii) the Tax Code, taking into account the legitimate interest in the management of employment relations.

This Information Note concerning the processing of personal data is to inform you, as candidate, about the processing of your personal data and/or your sensitive data in accordance with the terms and conditions below and the Data Protection Law:

### 1. PROCESSING

Garmin intends to:

(i) Process your personal data consisting of:

- Candidates: surname and given names; date of birth; native country; nationality; sex; telephone/fax number; (domicile/residence) address; email; work history; studies; qualifications, skills and work experience, including CV data and interview details, and psychometric profiling assessments.

(ii) Process your sensitive data consisting of:

- Candidates: data on health status; data on criminal record (if requested in the recruitment process) (hereinafter referred to as "**Sensitive Personal Data**").

Your Personal Data/Sensitive Personal Data will be used for the following activities "**Purposes**":

- Candidates

We use personal data of candidates for the following purposes:

- Evaluating whether you are qualified and a good fit for the position you are seeking
- Background checks to and verification of references and qualifications for potential new hires, to the extent permissible under applicable law

#### Legal Grounds for Processing

The legal grounds for processing personal data of employees are legitimate interests, which include recruiting and training qualified employees, assessing the performance of employees, making decisions regarding the employees' compensation and benefits, protecting the security of Garmin's information and facilities, the safety of Garmin's employees, and complying with legal obligations.

The legal grounds for processing personal data of jobseekers are legitimate interests, which include evaluating whether the jobseeker is qualified for the position and verifying the jobseeker's experience and work history.

## **2. TRANSFER**

Garmin will take all necessary technical and organizational actions to protect the processing of the transferred Personal Data/Sensitive Personal Data against accidental or unlawful destruction, loss, alteration, disclosure or unauthorized access, and any other form of illegal processing.

Garmin will transfer Your Personal Data and/or Your Sensitive Data to the following (i) EU Member States and/or (ii) other States that are not members of the European Union but which, according to the European Commission, provide an adequate level of protection, but also (iii) third countries under the [Privacy Shield](#) framework approved by Directive 95/46/EC, as follows:

- **UK**
- **Switzerland**
- **USA**

We would like to point out that not all of the personal data referred to in Section 1 above will be transferred to the USA, only the data expressly specified in the [Privacy Shield](#) concluded at the Garmin Group level, i.e.:

(i) Personal data consisting of:

- Candidates: Only the personal data that is necessary to accomplish these purposes (recruitment and selection) will be transferred: surname and given names; date of birth; native

country; nationality; sex, telephone/fax number; (domicile/residence) address; email; work history; studies; qualifications, skills and work experience, including CV data and interview details.

Garmin will take all necessary technical and organizational actions to protect the processing of the transferred Personal Data/Sensitive Personal Data against accidental or unlawful destruction, loss, alteration, disclosure or unauthorized access, and any other form of illegal processing.

### **3. RECIPIENTS**

Personal Data/Sensitive Personal Data may be accessed by (i) you; (ii) the operator's representative; (iii) the operator's contractual partners; (iv) other companies of the same group as the operator; (v) central/local public authorities; and (vi) the employer/potential employer of the person concerned. Garmin is using Workable as a recruitment software and partner.

We may disclose personal data about you to others: (a) if we have your valid consent to do so; (b) to comply with a valid subpoena, legal order, court order, legal process, or other legal obligation; (c) to enforce any of our terms and conditions or policies; or (d) as necessary to pursue available legal remedies or defend legal claims. We may also transfer your personal data to an affiliate, a subsidiary or a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of Garmin's business, assets or stock, including, without limitation, in connection with any bankruptcy or similar proceeding, provided that any such entity that we transfer personal data to will not be permitted to process your personal data other than as described in this Privacy Policy without providing you notice and, if required by applicable laws, obtaining your consent.

### **4. DURATION**

Garmin will Process your Personal Data/Sensitive Personal Data for the following periods of time:

- candidates - during the recruitment period, and 3 years thereafter. In the event that a candidate is unsuccessful, but Garmin feel that the candidate has the potential to be suitable for a future opportunity with the company, we will retain the candidate's personal data for a maximum of three years following last interaction with candidate profile. In the event that a candidate rejects an offer of employment with the company, the company will retain the candidate personal data for a maximum of three years following last interaction with candidate profile. In case that the candidate becomes a Garmin employee the candidate personal data may be included with the employee personal data.

## 5. RIGHTS

Pursuant to the Data Protection Law, you are hereby informed that you have the following rights in relation to the Processing of Your Personal Data and/or Your Sensitive Personal Data:

- (i) the right to be informed about the Processing of Your Personal Data and/or Your Sensitive Personal Data;
- (ii) the right to access Your Personal Data and/or Your Sensitive Personal Data;
- (iii) the right to intervene on Your Personal Data and/or Your Sensitive Personal Data, including the right to rectify, update, block or delete Your Personal Data/Your Sensitive Personal Data;
- (iv) the right to oppose to the Processing of Your Personal Data and/or Your Sensitive Personal Data;
- (v) the right not to be subject to an individual decision under an Automatic Processing;
- (vi) the right to initiate legal proceedings if your rights under the Data Protection Law are infringed.

If you wish to exercise these rights, you may send a written request to:

**Garmin Cluj S.R.L.**

**Attn. Ezri Norbert**

**Calea Dorobantilor nr. 333537, Cluj-Napoca, judetul Cluj, Romania.**

Please see [Garmin's Employee Privacy Shield](#) policy for more information about Garmin's compliance with the Privacy Shield frameworks

I, the undersigned \_\_\_\_\_, hereby declare that I have been informed about the Processing of my Personal Data/Sensitive Personal Data.

\_\_\_\_\_  
Place/Date

\_\_\_\_\_  
Signature