

EMPLOYEE AND CANDIDATE PRIVACY NOTICE

OVER-AMSTEL BOERDERIJ B.V.

Last Updated and Effective: 1-1-2024

At Over-Amstel Boerderij B.V. (“**Over-Amstel**”, “**us**”, “**our**”, or “**we**”), we are strongly committed to transparency and the protection and security of each of our employees’, workers’, volunteers’, interns’, apprentices’, consultants’ and candidates’ (“**you**” or “**your**”) personal data. We collect your personal data and we are the “controller” under the applicable data protection laws, including the Regulation 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (the “**GDPR**”). This Employee and Candidate Privacy Notice is to help you understand what personal data we collect about you, why we collect it and how we use it as your employer and/or in relation to our recruitment process. This Employee and Candidate Privacy Notice does not cover other aspects of your employment.

If you do not understand any part of this Employee and Candidate Privacy Notice, you have any questions or complaints in relation to our use of your personal data, or if you would like to receive more information on the use your personal data by us, please contact us at info@over-amstel.com.

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1 HOW WE COLLECT YOUR PERSONAL DATA

The personal data we use is:

- a) provided by you;
- b) obtained from third parties (e.g. recruitment agencies, company doctor / medical professionals in relation to sickness absence); and/or
- c) created by us in the course of job-related activities and/or recruitment-related activities during your employment, recruitment process or engagement with us (e.g. interview notes, test or assessment scores and correspondence with us).

2 TYPES OF PERSONAL DATA WE USE, FOR WHAT PURPOSES, AND THE APPLICABLE LEGAL BASIS FOR OUR DATA PROCESSING

We use the personal data in relation to your employment, recruitment process or engagement with us as set out in the “personal data” column below.

The overview also sets out each of the purposes for which we use your personal data and the legal basis we rely on for each type of personal data we process about you.

If you fail to provide certain personal data when requested, we may not be able to (a) perform all our legal and contractual obligations, (b) process your application, or (c) carry out all activities regarding your employment or engagement such as payroll, benefits, tax and insurance and to ensure health and safety. This may affect your possibility to (continue to) work for us.

It is important that the personal data we hold about you is accurate and up to date. Please tell us if your personal data changes during your working relationship or your recruitment process with us (for example if your address, mail address, or bank account changes).

Personal data	Purpose	Legal basis
<p>Personal details (employment administration).</p> <p>Personal data included in your employment personal file, including your name, personal e-mail address, (mobile) telephone number, home address, date of birth, city and country of birth, national identification number and/or passport number, visa and/or work authorisation number, gender, marital status, social security number or other government issued (tax) numbers, beneficiaries and dependents, emergency contact information, signature, details of leave taken, details of work schedule (days of work and working hours) and attendance at work, and photograph.</p>	<ul style="list-style-type: none"> Administration of the conditions of your employment with us. Keeping and maintaining accurate, adequate, and effective general employee administration, including holiday/family/sabbatical leave administration to allow effective workforce management, to ensure compliance with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled. Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled. Meeting fiscal, social security, immigration and other statutory requirements to which we may be subject. 	<ul style="list-style-type: none"> Necessary for our performance and compliance with your employment contract. Necessary for compliance with a legal obligation to which we may be subject (notably fiscal, social security and immigration). Necessary for our legitimate interest to ensure effective administration and management of your employment/ engagement, benefits, management of the business and business continuity.
<p>Financial personal data.</p> <p>Bank account details, tax documents, and working time records, information on</p>	<ul style="list-style-type: none"> Payroll management, including maintaining adequate payroll administrations and payment of employees. 	<ul style="list-style-type: none"> Necessary for our performance and compliance with your employment conditions.

Personal data	Purpose	Legal basis
<p>compensation, including salary, bonus letters, stock options, pension, superannuation, and secondary benefits.</p>	<ul style="list-style-type: none"> • Compensation and benefits management. • Meeting fiscal, social security, tax and other statutory requirements to which we may be subject. 	<ul style="list-style-type: none"> • Necessary for our legitimate interest to manage employee performance and career development. • Necessary to comply with a legal obligation (notably fiscal and social security).
<p>Recruitment data.</p> <p>Personal data in your curriculum vitae/resume and cover letter, and name, e-mail address, telephone number, home address, salary range, references, information on education, language skills, qualifications, professional development, interview notes.</p>	<ul style="list-style-type: none"> • To administer, progress and manage the recruitment process, to assess applicants' suitability for a job, to follow up on applications / interview. 	<ul style="list-style-type: none"> • Necessary for us to do so before entering into an employment arrangement with you. • Necessary for our legitimate interest of managing a group-wide recruitment process.
<p>Employment screening and background checks.</p> <p>Details of your qualifications, skills and experience, employment screening documents and background check results (including criminal record checks, start and end dates with previous employers and with the organization, and request for 'Certificate of Good Conduct' where applicable).</p>	<ul style="list-style-type: none"> • Carrying out employment screening and background checks. 	<ul style="list-style-type: none"> • Necessary for our legitimate interest to assess reliability of our candidates and employees.
<p>Health data.</p> <p>Data relating to your health, including maternity, injuries, sickness reports, health/medical conditions (if required), health checks (occupational health and safety data), and health insurance details.</p>	<ul style="list-style-type: none"> • Administrating sick leave and reintegration purposes (sick leave and reintegration management). • Investigation, recording and analysis of work-related health and safety incidents (including related costs) to prevent re-occurrence and safety for other workers. • Meeting fiscal, social security, health and safety law, and other statutory requirements to which we may be subject. 	<ul style="list-style-type: none"> • Necessary for our performance and compliance with your conditions of employment. • Necessary for our legitimate interest to ensure effective administration and management of your employment conditions, benefits, management of the business and business continuity. • Where the data we collect qualifies as special category data, we rely on the exemptions provided in

Personal data	Purpose	Legal basis
	<ul style="list-style-type: none"> Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities. 	<p>article 9(b), (h) or (i) GDPR as the case may be.</p>
<p>Performance management. Assessments of your performance, including appraisals, performance improvement plans and related correspondence, training and educational information.</p>	<ul style="list-style-type: none"> Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes. Maintaining and administer training, development, education or other forms of career guidance or personal development. Manage and administer performance evaluations and promotions. 	<ul style="list-style-type: none"> Necessary for our performance and compliance with the conditions of your employment. Necessary for our legitimate interest to manage employee performance and career development.

3 SHARING OF YOUR PERSONAL DATA

We do not sell your personal data.

The personal data we collect, we share with parties including:

- (a) **Authorities / authorized bodies:** In response to a request for information from an authority or authorized body with jurisdiction over Over-Amstel or if we believe disclosure is in accordance with any applicable law, regulation or legal process, or as otherwise required by any applicable law, rule or regulation. This includes requests related to national security or law enforcement requirements (e.g., for the provision of pensions, tax etc.). In such event we shall share your personal data with the relevant supervisory authority, investigative authority, courts, or other governmental body in compliance with applicable data protection and privacy laws;
- (b) **Service providers:** We will share personal data with or provide access to third parties who work on behalf of us or provide services to us in this respect. Such companies are, for example:
 - (i) Labor consultants or companies providing payroll processing services;
 - (ii) Companies supporting us in managing the recruitment process (e.g., management software providers, cloud/IT service providers).

If a service provider qualifies as processor, we will sign a data processing agreement before sharing the data.

- (c) **Other business partners, contractors and agents:** We will share personal data with or provide access to third parties who we have professional relationships within the context of our business activities, such as:
 - (i) Companies or public entities supporting us for training activities;

- (ii) Credit institutions;
 - (iii) Customers/suppliers and/or third parties limited to your personal details (e.g., first name, last name, company email address, telephone);
 - (iv) Insurance companies and brokers;
 - (v) Legal and tax advisors;
 - (vi) Medical / health facilities in fulfillment of health and safety at work regulations;
 - (vii) Trade unions to which you have given a specific mandate.
- (d) **Third parties:** In case your application for employment is successful and Over-Amstel makes you an offer of employment, we will then share your data with:
- (i) former employers to obtain references;
 - (ii) employment service providers, including providers of recruiting and hiring platforms and background check providers to obtain necessary background checks;
 - (iii) assessment institutions to carry out assessments; and
 - (iv) the relevant governmental institutions to obtain necessary criminal records checks.
- (e) **Sharing data in connection with changes to our group structure or the ownership of our business:** We are not currently part of a corporate group, however, if we our ownership structure changes, we may need to disclose your personal data to the new owners or operators of our website as part of that process.
- (f) Auditors, accountants, forensic investigators or law firms, for group, statutory or other periodic audits, or as part of an investigation of suspected illegal activity.

Further, we may disclose or share your personal data if:

- a) We sell our company or part thereof (including separate assets), financing or acquisition of all or a portion of our business to another company, if we merge with another company, or during negotiations thereof, or in connection with a consolidation, change in control, bankruptcy, reorganization, or liquidation. In such event, we may share your personal data with the new owner or merging party respectively insofar allowed under applicable law; or
- b) We are subject to insolvency proceedings, as part of the sale of our assets by a liquidator (or similar).

If we share your personal data with third parties located outside the European Economic Area (“EEA”), we take steps to ensure that appropriate safeguards are in place to guarantee the continued protection of your personal data, particularly by signing the SCCs adopted by the European Commission (Article 46(2)(c) GDPR). For more information on these Standard Contractual Clauses, please see [here](#).

For transfers of personal data to the UK the following applies. The European Commission has determined that the UK offers an adequate level of data protection for personal data transferred within the scope of the GDPR from the EU to the UK (please see [here](#)). This means that your personal data will be subject to a level of data protection similar as in the EU, and, as a consequence, personal data may flow from the EEA to the UK without additional safeguards being necessary.

4 HOW WE SECURE YOUR PERSONAL DATA

We will ensure that appropriate technical and organisational measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data and we have in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction.

5 HOW LONG WE WILL KEEP YOUR PERSONAL DATA

If your application for employment is unsuccessful, we will retain your personal data for the duration of the recruitment process and for a period of 4 weeks after the recruitment process has ended. If you provide your consent and agree to allow the organization to keep your personal data on file, the organization will hold your data on file for a further 12 months for consideration for future employment opportunities in our talent pool. At the end of that period (or once you withdraw your consent), your data is deleted. After the end of the recruitment process, you can request us to delete your data at any time.

If you are successful in applying for a position, we will not use, process, or hold your personal data any longer than necessary for the processing purpose.

If we are subject to a statutory retention period, we will retain your personal data for at least the period specified by the law.

Notwithstanding the above, we may retain your personal data for the length of any applicable limitation period for claims that might be brought against us later, as well as during any litigation for which we need the personal data. Likewise, we may retain your personal data to make it available to the supervisory authority, investigative authority, courts, or other governmental body for the period specified by the law.

• WHERE WE STORE YOUR PERSONAL DATA

Over-Amstel stores your personal data on servers located in the EEA.

We do not send your personal data outside the EEA. If this changes you will be notified of this and the protections which are in place to protect the security of your data will be explained.

6 YOUR RIGHTS

We set out your data protection rights under the GDPR in more detail below and give information on how you can exercise them. Most of these rights are not absolute and are subject to exemptions in the law. We will respond to your exercise of right request within one month but have the right to extend this period in certain circumstances. If we extend the response period, we will let you know within one month from your request. If your request is clearly unfounded or excessive, we reserve the right to charge a reasonable fee or refuse to comply with it in such circumstances.

- a. **Access:** you are entitled to ask us if we are processing your personal data and, if we are, you can request access to your personal data. This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it. If your request is clearly unfounded or excessive, we reserve the right to charge a reasonable fee or refuse to comply in such circumstances.
- b. **Correction:** you are entitled to request that any incomplete or inaccurate personal data we hold about you is corrected.
- c. **Erasure:** you are entitled to ask us to delete or remove personal data in certain circumstances. There are certain exceptions where we may refuse a request for

erasure, for example, where the personal data is required for compliance with law or in connection with legal claims.

- d. **Restriction:** you are entitled to ask us to suspend the processing of certain details specified by you of your personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- e. **Data portability:** you may request the transfer of a copy of certain details specified by you of your personal data to you or another party (if technically feasible). You have the right to ask that we provide your personal data in an easily readable format to another company.
- f. **Objection:** where we are processing your personal data based on our legitimate interest, you may object to processing on this ground. However, we may be entitled to continue processing your personal data based on our legitimate interests.
- g. **Lodge a complaint at a supervisory authority:** we will do our best to resolve any complaint. However, if you feel we have not resolved your complaint, you have a right to lodge a complaint with a supervisory authority in the country where you live, where you work or where an alleged infringement of the applicable data protection law took place. A list of EU supervisory authorities and their contact details is available [here](#).

In the limited circumstances where you may have provided your consent to the processing of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Please note that the withdrawal of your consent does not affect the lawfulness of the processing based on your consent before its withdrawal.

If you want to exercise any of these rights, or withdraw your consent, please contact us at info@over-amstel.com.

7 CHANGES TO THIS EMPLOYEE AND CANDIDATE PRIVACY NOTICE

We reserve the right to change this Employee and Candidate Privacy Notice from time to time.

If we choose to amend this Employee and Candidate Privacy Notice, we will revise the “Last Updated and Effective date” at the top of this document when we post the updated version. If we make any substantive changes to this Employee and Candidate Privacy Notice (for example regarding the personal data we collect, how we use it or why we use it), we will notify you.