

## INFORMATION CLAUSE FOR THE EMPLOYEE

(valid from 01 June 2025, version 3.0)

Pursuant to Article 13(1) and (2) of Regulation (EU) 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 so-called General Data Protection Regulation) ("GDPR"), we inform you that:

### DATA CONTROLLER

The controller of your personal data is (contact details): **Łukasiewicz Research Network – PORT Polish Center for Technology Development with its registered office in Wrocław**, 147 Stabłowicka Street, 54-066 Wrocław, KRS: 0000850580; NIP: 8943140523; [biuro@port.lukasiewicz.gov.pl](mailto:biuro@port.lukasiewicz.gov.pl) ("**Controller**").

### DATA PROTECTION OFFICER

The Controller has appointed a Data Protection Officer ("**DPO**"). Contact with the DPO: [iod@port.lukasiewicz.gov.pl](mailto:iod@port.lukasiewicz.gov.pl) or in writing to the Controller's address indicated above. We invite you to contact us in all matters related to the processing of your data.

### PURPOSE OF PROCESSING AND LEGAL BASIS

The purpose of the processing of your personal data is:

1. consent to the extent other than indicated below, pursuant to Article 6(1)(a) of the GDPR,
2. performance of an employment contract, pursuant to Article 6(1)(b) of the GDPR in conjunction with the Labour Code,
3. fulfilment of legal obligations, as well as in the field of Occupational Medicine, pursuant to Article 6(1)(c) GDPR, including data on health, pursuant to Article 9(2)(b) of the GDPR, as well as in particular social and health insurance, tax matters, operation of the company's social benefits fund, handling of business trips (including the operation of a company car), occupational health and safety, handling of company payment cards, handling of company accounts, conducting training, use of company equipment and e-mail, using bonuses and packages for employees), as part of the Employee Capital Plans, as well as due to the fulfilment of the obligation regarding the evaluation of researchers;
4. implementation of the legitimate interest of the Controller, which is to ensure safety, protection of property, confidentiality of information concerning the Controller, video monitoring (full content of the information clause in the field of monitoring) available on the premises of the Controller, pursuant to Article 6(1)(f) of the GDPR,
5. implementation of the legitimate interest of the Controller, which is the processing of the image by placing it in e-mail or Teams or Intranet or internal communicators of the Controller, as well as for the purposes of the implementation of projects or applications for funding/grant agreements or financing, pursuant to Article 6(1)(f) of the GDPR,
6. necessity for the purposes resulting from the legitimate interests pursued by the Data Controller, consisting in the establishment, investigation or defense of claims, running the website and making the data public, pursuant to Article 6(1)(f) of the GDPR;
7. ensuring safety, personnel and property, e.g. in the form of an identification and access card system (including image), as well as GPS, e-mail and network activity, the rules of which are set out in the Work Regulations, which constitutes a legitimate interest under Article 6(1)(f) of the GDPR;
8. marketing activities in the field of external image on the basis of the consent given – Article 6(1)(a) of the GDPR, and in the remaining scope on the basis of Article 6(1)(f) of the GDPR, which is the legitimate interest of the Controller in the form of name, surname, official position, business e-mail for the purposes of ensuring communication and conducting current business.

### RETENTION PERIOD

Personal data will be processed for the period necessary to achieve the purpose of processing,

not shorter than the period indicated in the provisions on archiving, i.e. the Act on the National Archival Resource and Archives and internal files in force at the Controller in the field of creating and storing documentation, as well as in the Labour Code (as a rule, no longer than 10 years from the end of the calendar year, in which the employment relationship was terminated or expired, unless the employment relationship was established before 1 January 2019, in which case for a period of 50 years from the end of your employment with the Controller). Alternatively: settlement of the received funding or durability period, if the need for processing arises for the purposes of achieving this purpose or for the purpose of pursuing or defending against claims, or until an objection is raised, if the processing is based on Article 6(1)(f) of the GDPR or withdrawal of consent, if the processing is based on Article 6(1)(a) of the GDPR.

#### **DATA RECIPIENTS**

The Controller may, in accordance with the law, transfer your data further, to other recipients. It is a possibility. The recipients of your personal data may be in particular:

1. processors providing services, in particular to the extent necessary and justified, including, for example, providers of IT, software, hosting, property protection services or expert services for evaluation;
2. entities authorized to statutory or contractual control or supervision over the Controller,
3. courier companies, postal companies, etc.;
4. under agreements concluded with funding institutions of the National Science Centre, the National Centre for Research and Development, etc.;
5. entities performing tasks in the field of occupational medicine or occupational health and safety training;
6. entities keeping mandatory records of POLON researchers;
7. partners, consortium members, customers and contractors in the scope of professional duties, e.g. contact details.

Your personal data may also potentially be disclosed in the mode of access to public information at the request of any interested party.

#### **TRANSFER OUTSIDE THE EUROPEAN ECONOMIC AREA**

Your personal data will generally not be transferred to third countries or international organizations. If necessary for the purposes set out above, we may transfer your personal data to our recognised subcontractors or contractors in countries outside the EEA. Bearing in mind that the level of personal data protection in these countries may differ from that provided by the GDPR in the European Union, the transfer of data is carried out with an adequate level of protection, primarily through verification of the EC's decision.

We use Microsoft 365. Personal data may be transferred to a third country (USA) on the basis of the decision of the European Commission of 10 July 2023, stating the adequacy level of protection provided by the "EU-US Data Privacy Framework", in connection with the Controller's use of solutions provided by Microsoft. A list of entities that have signed up to the EU-US Data Protection Framework is available at: Participant Search ([dataprivacyframework.gov](https://dataprivacyframework.gov)).

Unless otherwise decided by the European Commission: personal data may be transferred on the basis of standard contractual clauses used in contracts with such companies, or binding corporate rules approved by the competent supervisory authority, or on the basis of the conditions set out in Article 49 of the GDPR.

#### **PROFILING**

With regard to your personal data, decisions will not be made by automated means. There will also be no profiling based on them.

#### **DATA REQUIREMENT**

Providing Personal Data is voluntary, but necessary for the conclusion and performance of the contract concluded with the Controller.

#### **DATA SOURCE**

The data has been provided by the persons whose data are processed (data subject) or obtained

#### **Page 2 with 4**

by the Controller during the term of the contract.

## RIGHTS AND RIGHTS

To exercise your rights, please contact the Controller by e-mail at the above-mentioned contact details of the Data Protection Officer. You have the right to:

1. access to the personal data provided;
2. as a rule - rectify or supplement the personal data provided;
3. as a rule - request restriction of the processing of personal data in the situations specified in Article 18 of the GDPR;
4. lodge a complaint with the President of the Office for Personal Data Protection against the processing of data by the Controller;
5. as a rule - to delete data (the right to be forgotten). However, we would like to inform you that you do not have the right to delete your data (the right to be forgotten), to the extent determined by Article 17(3)(b), (d) or (e) of the GDPR, as long as the basis for the processing of your data is Article 6(1)(c) of the GDPR (it is limited due to the fact that it is processing for purposes resulting from the provisions of law – the Ordering Party must process this data in accordance with the law) or Article 6(1)(f) of the GDPR (up to the establishment, exercise or defence of claims);
6. as a rule - the transfer of personal data, where the basis for processing is Article 6(1)(b) GDPR or on the basis of consent. However, we inform you that: this right does not apply to processing that is necessary for the performance of a task carried out in the public interest and is restricted in this procedure (Article 20(3) of the GDPR);
7. object to the processing of personal data for direct marketing purposes and purposes based on Article 6(1)(f) GDPR; If you object to processing for direct marketing purposes, your personal data must no longer be processed for such purposes;
8. withdraw their voluntary consent to the processing at any time – if the processing is based on consent. The withdrawal of this consent does not affect the previous processing on this basis, before its withdrawal.

We would like to point out that the provisions of law in connection with the implementation of projects (financing from European or other funds, in particular project guidelines for the implementation of contracts, may result in, in specific cases, further restrictions on your rights. In case of any doubts, please contact the Controller's Data Protection Officer.

**Notwithstanding the above, I would like to inform you that your personal data may be processed under the concluded Agreement on joint control of personal data in the Łukasiewicz Research Network – if you have been granted rights in the Controller's IT systems regarding the Microsoft 365 package, and I would like to inform you about the principles of data processing under this agreement.**

**The agreement on joint control concerns the creation of an IT tool for contact within the Łukasiewicz Network (in particular the Microsoft 365 package, Teams and other IT systems),** hence I inform you as follows:

1. On 1 April 2020, the Controller concluded an agreement on joint control of personal data in the Łukasiewicz Research Network (Act of 21 February 2019 on the Łukasiewicz Research Network). It aims to create an IT tool providing access to a common internal e-mail and a common address book, integrated with Active Directory services, enabling contact between employees and associates of the Łukasiewicz Network and containing data of persons employed by entities operating within the Łukasiewicz Research Network, as well as data of other third parties to the extent necessary for the performance of the Network's statutory tasks Łukasiewicz Research Centre and its constituent entities. Data processing takes place in IT systems.
2. The basis for the processing of your personal data in this regard is the legitimate interest of the Controller, and the relevant provisions of law, the exercise of public authority entrusted to the Controller or your consent (Article 6(1)(a), (c), (e) and (f) of the GDPR).
3. Scope of personal data processed as part of joint control of personal data: name and surname, name of the employing institute, e-mail addresses, landline and/or mobile phone numbers, supervisor, position, organizational unit - Department, address of the employee's business location, province, country, city, street, office, postal code, IT related to the IT equipment used, information on the user's activity in the IT system, information published and transmitted in the IT system. The data subject (system user) will also be able to independently and voluntarily decide

whether to include in the tool his/her personal data other than the data indicated above, such as: photograph, profile and professional experience.

4. The data subject may request each of the joint controllers to exercise their rights under applicable law, in particular those indicated in point 10 above (Instruction on the rights of the data subject).
5. The joint controller agreement was concluded on the basis of Article 27 of the GDPR. It allows individual Personal Data Controllers to conclude processing entrustment agreements. The Joint Controllers are responsible for the actions of the entities with which they conclude processing agreements as for their own actions.
6. The period for which personal data will be stored, and if this is not possible, the criteria for determining this period: for the period necessary to achieve the purpose of processing, not shorter than the period indicated in the archiving regulations, i.e. the Act of 14 July 1983 on the national archival resource and archives and internal files in force in the organizational units of the Łukasiewicz Research Network in the field of creating and storing documentation. If the data is processed on the basis of your consent, it will be processed until it is withdrawn and until the claims expire.
7. Information on the recipients of personal data or on the categories of recipients: law enforcement and control authorities.
8. More information in the above scope can be found at the link after obtaining authorizations to the IT systems of the <https://lukasiewiczgov.sharepoint.com/sites/RODO> Controller. The above link also includes "The main content of the arrangements between the joint controllers".