

FOXCONN Slovakia, spol. s r.o.

Dolné Hony 29, 949 01 Nitra, Slovak Republic, Tel.: +421 37 69 44 100, Fax: +421 37 69 44 107

F_HRD_319_02_Informacna_povinnost_v2.0

Information issued in accordance with the provision of § 19 of Act No. 18/2018 Coll. on Personal Data Protection and on the amendment of certain other Acts, and in accordance with the Article 13 of Regulation (EC) No. 2016/679 of the European Parliament and Council of the European Union on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

1) The business operator Foxconn Slovakia, spol. s r.o. hereby notifies the person concerned before obtaining the personal data following information:

a) Identification data and contact details of the business operator: Foxconn Slovakia, spol. s r.o., Dolné Hony 29, Nitra 949 01, Slovak Republic, Company ID-No. 35683724, Commercial Register of the District Court Nitra, Section: Sro, Insert No.: 21716/N, Jia-Jiann Wang, Managing Director, Peter Hrčka, acting Manager with a general power of attorney.

b) Contact details of the responsible person. Postal address: Person responsible for the protection of personal data, Foxconn Slovakia, spol. s r.o., Dolné Hony 29, Nitra 949 01.

Electronic address: zodpovedna.osoba@emea.foxconn.com

c) The purpose of processing of personal data for which the personal data are intended, as well as the legal basis for the processing of the personal data:

Purpose of processing:

Employment records, organizational management – Personnel Management. Wages.

Staff training - Education of staff.

Registration of occupational injuries and notification to the relevant institutions – Records of occupational accidents.

Records of occupational illness.

Recruitment, registration and selection of candidates – Evidence of jobseekers.

Records of worked and not-worked working hours as a basis for wages – Attendance records.

Elaboration of psychological assessments on the ability to perform the work agreed,

monitoring the working environment and working conditions – Evidence of medical fitness for work, results of psychological testing.

Evidence of staff meals.

Security of persons and protection of the object, identification of the natural person when entering the premises of the company – Camera and Visitor system.

Evidence of personal protective equipment.

Evidence of employees to whom the Operator provides the bus transport to/from work – Transport of employees

Evidence of assigned business phones – Evidence of assigned phones

Evidence of vehicles entering the premises of the plant – Evidence of vehicles

Records of insured employees for accident and life insurance, paid by the employer – Accident and life insurance of employees

Records of incoming and outgoing mail – Incoming and outgoing mail

Internal and external photo documentation – FSK photo documentation

Reporting of anti-social activities – Internal management of complaints

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Compliance with the principle of equal treatment, non-discrimination and protection against sexual harassment – Anti-discrimination

Evidence of insurance claims

Legal basis. In accordance with the provisions of § 13 Act No. 18/2018 Coll., the legal basis of the processing of personal data is:

- i) Consent of the persons who have given their consent to the processing of personal data.
- ii) Special provisions: Act No. 311/2001 Coll. – Labour Code, Act No. 595/2003 Coll. on Income Tax, Act No. 233/1995 Coll. on Enforcement Code, Act No. 5/2004 Coll. on Employment Services, Act No. 404/2011 Coll. on Stay of Aliens, Act No. 124/2006 Coll. on Occupational Safety and Health, Act No. 576/2004 Coll. on Healthcare, Healthcare-related Services, Act No. 355/2007 Coll. on protection, encouragement and development of public health, Regulation No. 504/2006 Coll. on the Method of Reporting, Registering and Recording the occupational diseases and the risk of occupational disease, Regulation No. 500/2006 Coll., Act No. 586/2003 Coll. on Advocacy, Act No. 395/2002 Coll. on archives and registers, Act No. 473/2005 Coll. on private security, Civil Code Act No. 40/1964 Coll., Act No. 18/2018 Coll. on the protection of personal data, Act No. 580/2004 Coll. on Health Insurance, Act No. 461/2003 Coll. on Social Insurance, Act No. 43/2004 Coll. on retirement pension saving, Act No. 650/2004 Coll. on the supplementary pension scheme, Act No. 462/2003 Coll. on Compensation of Wages Replacement in case of Temporary Work Incapacity of an Employee, Act No. 85/2005 Coll. on Illegal Work and Illegal Employment, Act No. 152/1994 Coll. on Social Fund, Act No. 601/2003 Coll. on Subsistence Minimum, Act No. 39/2015 Coll. on Insurance, Act No. 125/2006 Coll. on Labour Inspection, Act No. 171/1993 Coll. on Police Force, Government Ordinance No. 395/2006 Coll. on minimal requirements for provision and use of personal protective equipment, § 11 par. 8 of Act No. 307/2014 Coll.,
- iii) The processing of personal data is necessary for the purpose of the legitimate interests of the Operator and the Intermediary.

d) The legitimate interests of the Operator lie in proving compliance with applicable legislation, in particular proving of legal employment, provision of statutory levies and taxes, compliance with non-discrimination and compliance with the protection of personal data of the persons concerned. The legitimate interest is in protecting of the health and life of natural persons, the protection of the property of the Operator.

e) Identification of Recipients: Social Insurance Institution, Health Insurance Companies, Te Financial Administration of the Slovak Republic, Tax Authorities, Central Office of Labour, Social Affairs and Family, Offices of Labour, Social Affairs and Family of the Slovak Republic, government bodies and public authorities to exercise control and supervision i.e. Labour Inspectorate of the Slovak Republic, Regional Directorate of the National Public Health, Ministry of Interior of the Slovak Republic, Police, Police Department of the Alien Police of the Police Forces, law enforcement authorities, courts, court enforcement officers, medical assessors, FSK, non-banking companies, banks, SBS, representatives of employees, Intermediary, instructed authorized person, other interested party.

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f) The Operator is entitled to perform the transfer of personal data to a parent company Foxconn based in Taiwan.

2) When obtaining personal data, the Operator shall provide the person concerned with information about the retention period of personal data; if this is not possible, information on the criteria for its determination. The Operator shall keep the personal data for as long as it is necessary for fulfilling the purpose and for the period specified by the legislation.

3) The Operator shall inform the persons concerned that they have the right to require the access to personal data relating to the person concerned from the operator, the right to rectify the personal data, the right to delete personal data or the right to limit the processing of personal data, the right to object to the processing of personal data, including the right to the portability of the personal data.

1. The right to access the data and information, in accordance with Article 15 of the EP Regulation and EU Council 2016/679 and in accordance with the provision § 21 of Act No. 18/2018 Coll. on the Protection of Personal Data.

1.1. The person concerned shall have the right to obtain the confirmation of whether the personal data are processed, which are related to him/her from the company Foxconn Slovakia, s.r.o. If such personal data are processed by the company, the person concerned shall have the right to access such personal data and information on

a) the purpose of the processing of personal data,

b) the category of processed personal data,

c) the identification of the recipient or the category of the recipient, to whom the personal data have been or are to be provided, in particular the recipient in a third country or an international organization, if possible,

d) the period of the retention of personal data; if this is not possible, information on the criteria of its determination,

e) the right to request the correction of personal data relating to the person concerned from the company, the erasure or restriction of their processing, or the right to object to the processing of personal data,

f) the right to file a motion to initiate proceedings under § 100 of the Act.

g) the source of the personal data, if personal data have not been obtained from the person concerned,

h) the existence of the automated individual decision making, including profiling under § 28 *par. 1 and 4*; in such cases, the company shall provide the person concerned with information in particular on the procedure used as well as on the meaning and foreseeable consequences of such processing of personal data for person concerned.

1.2. The person concerned has the right to be informed of the adequate safeguards regarding the transfer in accordance with § 48 *par. 2 to 4*, if personal data are transferred to a third country or to an international organization.

1.3. The company Foxconn Slovakia, spol. s r. o., as the Operator is obliged to provide the person concerned with the personal data he/she is processing. The Operator may charge an appropriate fee corresponding to the administrative cost for the repeated provision of personal

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data requested by the person concerned. The operator is required to provide personal data to the person concerned in accordance with his/her requirements.

1.4. The right to obtain personal data in accordance with paragraph 1.3. must not have an adverse effect on the rights of other natural entities.

1.5. The process itself, which will ensure the right to access to data and information, must also reflect the obligation to provide a copy of the personal data being processed. At the same time it is necessary to take into account the fact that if the person concerned has submitted an application by electronic means, the information is provided in the commonly used electronic form, unless the person concerned requests a different way.

1.6. Process of implementation, the rights to access to data and information are guaranteed by the responsible person.

2. The right to rectify personal data in accordance with Art. 16 of EP Regulations and EU Council 2016/679 and in accordance with the provisions § 22 of Act No. 18/2018 Coll. on the Protection of Personal Data.

2.1. The person concerned has the right to have the company Foxconn Slovakia, spol. s.r.o., as an operator without undue delay to rectify the incorrect personal data related to the person concerned. With regard to the purpose of the processing of personal data, the person concerned is entitled to supplement the incomplete personal data.

2.2. The right to rectify the personal data with which the person concerned reaches the rectification of incorrect personal data concerning him/her, it is necessary to take into account the requirement of Art. 19, namely the obligation of the company to notify each recipient to whom the personal data have been provided, any rectification of personal data, unless this is proved to be impossible or does not require disproportionate effort. At the same time, it is necessary on the part of the company to inform the person concerned about these recipients, if the person concerned requests so.

3.3. Process of implementation The rights to rectify the personal data are guaranteed by the responsible person.

3. Right to erasion in accordance with Art. 17 of EP Regulations and EU Council 2016/679 and in accordance with the provisions § 23 of Act No. 18/2018 Coll. on the Protection of Personal Data.

3.1. The person concerned has the right to have company Foxconn Slovakia, spol. s.r.o., as the operator to erase the personal data relating to him/her without undue delay.

3.2. The company Foxconn Slovakia, spol. s.r.o., as the Operator is obliged to erase the personal data without undue delay if the person concerned has exercised the right of erasion in accordance with par. 1, if

a) the personal data are no longer needed for the purpose, for which they were acquired or otherwise processed,

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- b) the person concerned shall withdraw consent in accordance with § 13 par. 1 (a) or § 16 par. 2 (a), on the basis of which the processing of personal data is performed and there is no legal basis for the processing of personal data,
- c) the person concerned shall object to the processing of personal data in accordance with § 27 par. 1 a do not preclude any legitimate reasons for the processing of personal data or the person concerned shall object to the processing of personal data in accordance with §27 par. 2,
- d) the personal data is processed illegally,
- e) the reason for the erasion is the fulfilment of an obligation under this Act, a special regulation or an international treaty to which the Slovak Republic is bound; or
- f) the personal data were obtained in connection with the offer of information society services in accordance with § 15 par. 1.

3.3. If company Foxconn Slovakia, spol. s.r.o., as an Operator has disclosed personal data and is obliged by par. 3.1. to erase them, it is also required to take appropriate security measures, including technical measures with regard to available technology and the cost of implementing them for the purpose of informing other operators, who process the personal data of the person concerned about their request for operators to erase the links to their personal data and their copies and depreciation.

3.4. Paragraphs 3.1. and 3.2. shall not apply if the processing of personal data is necessary

- a) for the exercise of the right to freedom of expression or the right to information,
- b) to fulfil an obligation in accordance with the Personal Data Protection Act, a special regulation or an international treaty to which the Slovak Republic is bound or to fulfil a task carried out in the public interest or in the exercise of public authority entrusted to the operator,
- c) for reasons of public interest in the field of public health in accordance with § 16 par. 2 (h) to (j)
- d) for the purposes of archiving, for scientific purposes, for the purpose of historical research or for statistical purposes in accordance with § 78 par. 8, if it is likely that the law referred to in paragraph 1 will prevent or seriously impair the attainment of the objectives of such processing, or
- e) for the exercise of a legal claim.

3.5. At the same time, in accordance with the provision of Art. 19 by the company Foxconn Slovakia spol. s.r.o., it is necessary to ensure the compliance with the obligation to notify each recipient to whom personal data have been provided, any erasure of personal data, unless this proves to be impossible or does not require disproportionate effort, and also to ensure that the person concerned is informed about those recipients, if the person concerned requests so.

3.6. Process of implementation The rights to erase personal data are guaranteed by the responsible person.

4. The right to limit the processing, in accordance with Art. 18 of EP Regulations and EU Council 2016/679 and in accordance with the provisions of § 24 of Act No. 18/2018 Coll. on the Protection of Personal Data.

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4.1. The person concerned has the right to the company Foxconn Slovakia, spol. s.r.o., as an operator to restrict the processing of personal data, if

- a) the person concerned objects to the accuracy of the personal data during a period allowing the operator to verify the accuracy of the personal data,
- b) the processing of personal data is unlawful and the person concerned objects to the erasure of personal data and requests instead of that the restriction of their use,
- c) the operator has restricted the processing of personal data if the operator no longer requires personal data for the purpose of processing personal data but it is required by the person concerned to exercise a legal claim; or
- d) the person concerned objects to the processing of personal data in accordance with § 27 par. 1, up to verification that the legitimate reasons on the part of the operator outweigh the legitimate reasons for the person concerned.

4.2. If the processing of personal data is limited in accordance with par. 4.1., except for retention, the personal data may be processed by the operator only with the consent of the person concerned or for the purpose of exercising a legal claim, for the protection of persons or for reasons of public interest.

4.3. The person concerned, whose processing of personal data is limited according to paragraph 4.1., is obliged to inform the operator before the limitation of the processing of personal data is cancelled.

4.4. Process of implementation Rights to limit the processing of personal data is guaranteed by the responsible person.

5. Notification obligation to the recipients in accordance with Art. 19 of EP Regulations and EU Council 2016/679 and in accordance with the provision of § 27 of Act No. 18/2018 Coll. on the Protection of Personal Data.

5.1. Company Foxconn Slovakia, spol. s.r.o., as the Operator is obliged to notify the recipient of the rectification of personal data, erasure of personal data or the limitation of the processing of personal data in accordance with § 22, § 23 par. 1 or § 24 if it does not prove impossible or does not require the disproportionate effort.

5.2. The operator shall inform the person concerned about the recipients in accordance with paragraph 5.1. if the person concerned requests so.

5.3. The responsible person shall guarantee the notification obligation to the recipients.

6. The right to portability, in accordance with Art. 2 of the EP Regulations and EU Council 2016/679 and in accordance with the provision of § 26 of Act No. 18/2018 Coll. on the Protection of Personal Data.

6.1. The person concerned has the right to obtain personal data related to him/her and which he/she has provided to company Foxconn Slovakia, spol. s.r.o. as to the operator, in a structured, commonly used and machine-readable format, and has the right to transfer such personal data to another operator if this is technically possible and if

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- a) the personal data are processed in accordance with § 13 par. 1 (a), §16 par. 2 (a) or § 13 par. 1 (b),
- b) the processing of personal data is carried out by automated means.

6.2. By exercising the right mentioned in the paragraph 6.1. the right in accordance with § 23 shall not be affected. The right to portability does not apply to the processing of personal data necessary to fulfil a task carried out in the public interest or in the exercise of official authority entrusted to the operator.

6.3. The right in accordance with paragraph 6.1. must not have an adverse effect on the rights of others.

6.4. The process must allow the conditions for the transfer of personal data directly from one operator to the other operator, if it is technically possible, i.e. by exporting of personal data of the person concerned to a commonly used and machine-readable format (e.g. XML, JSON, CSV). At the same time, it is necessary to ensure the conditions for ensuring the secure transfer of the data export file to the person concerned, in a secured manner through encryption.

6.5. The responsible person shall guarantee the right to the portability of personal data.

7. The right to object in accordance with the Art. 21 of the EP Regulations and EU Council 2016/679 and in accordance with the provision of § 27 of Act No. 18/2018 Coll. on the Protection of Personal Data.

7.1. The person concerned has the right to object to the processing of his/her personal data due to his/her particular situation carried out in accordance with § 13 par. 1 (e) or (f) including profiling based on these provisions. The company Foxconn Slovakia spol. s.r.o., as the Operator may not further process personal data unless it demonstrates the necessary legitimate interests for the processing of the personal data which outweigh the rights or interests of the person concerned or the grounds for exercising a legal claim.

7.2. The person concerned has the right to object to the processing of personal data concerning him/her for the purpose of direct marketing, including profiling to the extent that it is related to the direct marketing. If the person concerned objects to the processing of personal data for the purpose of direct marketing, the operator may not process the personal data for the purpose of direct marketing.

7.3. The company Foxconn Slovakia spol. s.r.o. as the Operator is obliged to explicitly notify the person concerned of the rights in accordance with paragraphs 7.1. and 7.2. at the latest in the first communication with him/her and the information about this right must be clearly and separately stated from any other information.

7.4. In relation to the use of the information society services, the person concerned may object to the use of automated means using the technical specifications.

7.5. The person concerned shall have the right to object to the processing of personal data concerning him/her for reasons related to the particular situation unless the processing of personal data is necessary for the performance of a task on grounds of public interest if the

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personal data are processed for scientific purposes, the purposes of historical research or for statistical purposes in accordance with § 78 par. 8.

7.6. The process of implementation The responsible person shall guarantee the rights to object to the processing of personal data.

8. The right to object to automated individual decision making, including profiling in accordance with Art. 22 of the EP Regulations and EU Council 2016/679 and in accordance with the provision of § 28 of Act No. 18/2018 Coll. on the Protection of Personal Data.

8.1. The person concerned shall have the right not to be a subject to a decision which is based solely on the automatic processing of personal data, including profiling, and which has legal effects which affect him/her or have a significant effect thereon.

8.2.

Paragraph 8.1. does not apply if the decision is

- a) necessary for the conclusion of the contract or the performance of the contract between the person concerned and the operator,
- b) made on the basis of a special regulation or an international treaty to which the Slovak Republic is bound and which also provides for appropriate measures guaranteeing the protection of the rights and legitimate interests of the person concerned;
- c) based on the explicit consent of the person concerned.

8.3. In cases in accordance with paragraph 8.2. (a) and (c) the company Foxconn Slovakia spol. s.r.o. as the Operator is obliged to take appropriate measures to protect the rights and legitimate interests of the person concerned, in particular the right to verify the decision not in an automated manner by the operator, the right to express own opinion and the right to challenge the decision.

8.4. The decisions in accordance with paragraph 8.2. may not be based on specific categories of personal data in accordance with § 16 par. 1 except the cases, where § 16 par. 2 (a) or (g) shall apply and at the same time, appropriate measures are in place to guarantee the rights and legitimate interests of the person concerned.

3) The operator shall inform the persons concerned that they have the right to withdraw their consent at any time.

4) The Operator shall inform the persons concerned that they have the right to file a motion to initiate the proceedings § 100.

(1) The proceeding shall be initiated on the basis of a proposal by the person concerned or a person claiming to be directly concerned by his/her rights established by this Act (hereinafter referred to as "the Complainant") or without a motion.

(2) The Office shall initiate proceedings on its own initiative, also on the basis of the finding of the Authority in the performance of the supervision of the compliance with the obligations stipulated by this Act or a special regulation.

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(3) The motion to initiate proceedings in accordance with paragraph 1 (hereinafter referred to as "Motion") must include

- a) name, surname, correspondence address and signature of the Complainant,
- b) designation of the person against whom the motion is directed, including the name, surname, permanent address or name, registered office and identification number, if assigned,
- c) the subject of the proposal with the designation of rights to be violated in the processing of personal data,
- d) evidence in support of the claims made in the proposal,
- e) a copy of the document or other evidence of the exercise of the rights in accordance with the second part of the second title of the law or a special regulation, if such right was claimed by a person concerned or the reasons given for the special consideration of the non-application of the right in question have been filed by the person concerned.

(4) The Office shall publish the template of motion at its website.

(5) The Office shall defer the motion if

- a) the motion is manifestly unfounded,
- b) the matter to which the motion relates is dealt with by a court or law enforcement authority,
- c) the Complainant has not provided the Office with the request on necessary co-operation which without his/her co-operation the matter cannot be settled; the office of the Complainant shall notify the Complainant on the possibility of deferring the motion,
- d) is has elapsed more than three years after the event referred to in the motion.

(6) If the motion does not contain a request for the confidentiality of the identity of the Complainant, the Office shall treat the motion without confidentiality of the personal data contained in the motion. If there is a request for confidentiality in the proposal, but the nature of the motion does not allow it to be provided without giving any indication of the person who filed the claim, the Office shall notify the Complainant, while also warning him/her, that the motion will proceed only if the Complainant gives approval to the authority within the specified time limit to the data or data on him/herself needed for dealing with the claim.

(7) If the claim is delivered to the Authority by a different person from the person concerned, the claim shall be deemed to be an action for the initiation of an action of its own motion (hereinafter referred to as "initiative").

(8) The Authority shall assess the initiative within 30 days from the date of receipt of the claim to the Authority and, if the initiative does not suspend in accordance with paragraph 5, the proceedings shall be initiated and decided in accordance with § 102.

(9) The Authority shall inform the Complainant of the manner in which the initiative is lodged in accordance with paragraph 8 within 30 days from the date of receipt of the initiative to the Authority.

5) The Operator shall inform the person concerned whether the provision of personal data is a legal requirement or a contractual requirement or requirement that is required for the conclusion of a contract and whether the person concerned is required to provide personal data as well as the possible consequences of the non-disclosure of personal data.

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6) The Operator shall inform the person concerned about the existence of automated individual decision making, including profiling in accordance with § 28 par. 1 and 4; in such cases the operator shall provide the person concerned with information on the procedure used, as well as the meaning and foreseeable consequences of such processing of personal data for the person concerned.

7) The operator is required to provide the person concerned with information about another purpose and other relevant information before the next processing of personal data if the operator intends to further process the personal data for another purpose than that for which they were obtained.

In Nitra, on 11.6.2018

Foxconn Slovakia, spol. s r.o.