

# Privacy Policy of InStaff & Jobs GmbH

last updated on July 16, 2018

## 1. Operator & Data Protection Commissioner

The operator (hereinafter "InStaff") responsible for the data processing on this website is:

InStaff & Jobs GmbH  
Ritterstraße 24-27  
10969 Berlin

The data protection commissioner is:

Pascal Klein  
pascal.klein@instaff.jobs

## 2. Scope and withdrawal of consent for data processing

This Privacy Policy explains to users the collection and use of personal data by InStaff as the operator of the domain <https://instaff.jobs> (hereinafter „Website“) and the InStaff application (hereinafter „App“).

A user is defined as every person that visits the website of InStaff (hereinafter "visitor"), created a staff profile (hereinafter "jobber") or a professional account (hereinafter "client").

The Privacy Policy can be accessed and printed out at any time on <https://en.instaff.jobs/privacy>. InStaff is entitled to change this Privacy Policy according to applicable law.

Some processes of data processing are only possible with your explicit consent. A withdrawal of the consent you have given is possible at any time. To withdraw your consent, an informal email is sufficient.

## 3. Rights to data portability, Right of access, right to rectification, restriction of processing and erasure and right to lodge a complaint with a supervisory authority

You have the right to receive or have sent to Third Parties the personal data being processed automatically by us. The data will be provided in a machine-readable format.

Within the legal regulations, you have the right to access the stored personal data, their origin, their receiver, the purpose of the data processing and - if applicable - a right to rectification, restriction of processing and erasure of this data. To exercise these rights, please contact the data protection commissioner.

In case of a breach of data protection law, you as an affected party have the right to lodge a complaint with the supervisory authority. In the case of InStaff, this is the data protection commissioner of the state of Berlin.

## 4. Server logfiles

Data that your browser automatically sends to us are stored in server logfiles. This data includes:

Type and version of the browser  
Operating system used  
Referrer URL  
Host name of the accessing computer  
Time of the server request  
IP address

We do not consolidate these with other data sources. The processing of this data for the performance of a contract or in order to take steps prior to entering into a contract is allowed according to Art. 6 pas. 1b EU-GDPR.

## 5. Registration on our website or via the app

You are able to register on our website for the use of some functionalities. The data transferred only serves the purpose of the provision of the specific offer or service. Required fields at the time of registration are to be entered completely.

Otherwise, we will decline the registration.

In case of important changes, we will inform you via email. The email will be sent to the email address provided during the registration process.

The processing of data entered during the registration process occurs because of your given consent (Art. 6 pas. 1a EU-GDPR). We only save the data entered during the registration for the time span that you are registered on our website. Your data will be deleted once you decide to cancel your registration. Legally required periods for safekeeping remain unaffected.

#### **6. Data transfer at conclusion of a contract**

Personal data will only be forwarded to Third Parties in case of a necessity during the settlement of the contract. Exemplary Third Parties might be a payment provider or a logistics supplier. Further transfer of the data will not happen unless you have given your explicit consent regarding this forwarding.

The foundation for this data processing is Art. 6 pas. 1b EU-GDPR, that allows the processing of data for the performance of a contract or in order to take steps prior to entering into a contract.

#### **7. Storage of data regarding electronic and postal communication**

InStaff as an operator stores data regarding electronic and postal communication. This includes the time, the sender, the receiver, the subject and the content of emails and letters that have been sent prior to or after having entered into a contract.

The storage of electronic and postal communication is carried out to avoid possibilities of fraud. This constitutes a legitimate interest of InStaff according to Art. 6 pas. 1f EU-GDPR.

#### **8. Selective publishing of personal data of jobbers**

Jobbers are able to selectively publish their own data (e.g. profile picture, working experience, job reports and client reviews) through our website and / or our app. If the jobber gives his consent, this data is published on the website, so the jobbers comes to the attention of potential clients and receives more job offers.

This selective publishing of personal data is voluntary. Jobbers can always edit their profile settings so that this data is not publicly visible anymore.

#### **9. Binding job interest from jobber**

Jobber regularly receive job offers from InStaff via email. If a jobber states his binding interest in a job, InStaff reserves the right to forward the contact data (Email address and phone number) to the author of this job offer to clear the details of this job. Furthermore, InStaff receives the right to contact this jobber via phone or email to clear the details of this job.

After the booking of a jobber for a job, InStaff forwards the contact data of this jobber (Email address and phone number) to the author of the respective job offer to clear the details of this job.

#### **10. Publishing of job offers**

If necessary, InStaff publishes the job offers of clients on Third Party platforms to successfully staff the jobs of this client. However, InStaff will merely publish the job description and the underlying data (begin, end, location and working time of the job). InStaff will never publish the contact data or other personal data of the contact person of the client.

For this reason, the client guarantees not to enter contact data or other data that explicitly identifies the contact person of the client or any other person.

#### **11. Contact form**

Data transferred via the contact form will be saved with your contact data in order to process your request. This data will not be transferred without your explicit consent. The processing of data entered into the contact form occurs because of your given consent (Art. 6 pas. 1a EU-GDPR).

Data entered via the contact form will stay with us until you request the erasure, withdraw the consent of the data processing or there is no more need for the storage of this data. Legally required periods for safekeeping remain unaffected.

## 12. Privacy Policy for applications

Personal data of applicants will be processed for the application procedure. In case the applicant is employed with InStaff afterwards, this data will be stored during the period of the employment in compliance with legal requirements. In case the applicant is not employed with InStaff afterwards, the application data will be automatically deleted four months after the announcement of the rejection if there is no other legitimate interest of InStaff according to Art. 6 pas. 1f EU-GDPR. A legitimate interest according to Art. 6 pas. 1f EU-GDPR in this case can be the burden of proof according to the German Allgemeinen Gleichbehandlungsgesetz (AGG) in a trial.

## 13. Storage time of contributions and comments

Contributions and comments are stored. The content stays on our website until it was fully erased or had to be erased for legal reasons. The storage of contributions and comments occurs because of your given consent (Art. 6 pas. 1a EU-GDPR).

## 14. Cookies

Our website uses one cookie. This is a small text file that your web browser stores on your end device. They help us to recognize you when coming back to our website and thus make our offer more user-friendly, effective and more secure. With this cookie, we store the information which jobber or client is logged in and the information at what time and through the request of which URL the cookie was created.

The cookies are stored on your end device until you delete them yourself. If you use a modern web browser, you can monitor, restrict and prohibit the setting of cookies. Many web browsers are configurable in a way that cookies are being deleted automatically when closing down a program. The deactivation of cookies may limit certain functionalities of our website.

The setting of cookies for the use of electronic communication purposes or the provision of certain services that you requested (e.g. the staff selection) occurs according to Art. 6 pas. 1f EU-GDPR. As the operator of this website, we have a legitimate interest in the storage of cookies for the technically accurate and smooth presentation of our services. In case other types of cookies are set (e.g. for analysis reasons), they are treated in a separate section of the privacy policy.

## 15. YouTube

For the integration and presentation of video contents, our website uses plug-ins from YouTube. Operator of the video portal is YouTube, LLC, 901 Cherry Ave., San Bruno, CA 94066, USA. Details regarding the processing of user data can be found in the privacy policy of YouTube on <https://policies.google.com/privacy?hl=en&gl=de>.

When accessing a page with an integrated YouTube plug-in, a connection is established to the servers of YouTube. Thus, YouTube is finding out which of our pages you accessed. YouTube is able to match your website navigation in case you are logged in in your personal YouTube account. You have the possibility to prevent this by logging out of YouTube beforehand. YouTube is used because of our interest in the appealing presentation of our online offers. This constitutes a legitimate interest of InStaff according to Art. 6 pas. 1f EU-GDPR.

## 16. Google AdWords and Google Conversion Tracking

Our website uses Google AdWords. Operator of Google AdWords is Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, United States. Details regarding Google AdWords and Google conversion tracking can be found in the privacy policy of Google: <https://policies.google.com/privacy?gl=de&hl=en>.

AdWords is an online ad program. In the context of this online ad program, we work with conversion tracking. After a click on an ad shown by Google, a so called "Google Click ID" is being forwarded to InStaff and (when a client carries out the registration) assigned to this client. In case this client carries out the booking of staff within 90 days, InStaff will upload information about the amount in EUR of this booking, the date of the booking and the "Google Click ID" into our Adwords account. Thus, InStaff is able to analyze which ad campaigns are successful. At no point in time, other information about the client and / or personal data is being transferred to Google.

The storage and matching of the "Google Click ID" occurs according to Art. 6 pas. 1f EU-GDPR. We have a legitimate interest in the analysis of the success of our web ads.