

PRIVACY POLICY AGO JOBS & HR

FOR TEMPORARY WORKERS AND CANDIDATES

We consider your privacy important!

Within AGO Jobs & HR, we handle the personal data we collect from you in a safe and confidential manner.

This Privacy Policy describes which personal data we process about you, on what basis we process them, and why we process them. Finally, we inform you about the security measures we take to protect your personal data.

We invite you to read this Privacy Policy carefully so that you know and understand AGO Jobs & HR's policy in this area.

1. Who is responsible for the processing?

The following companies (together AGO Jobs & HR):

- AIB NV (0867.323.421), with registered office at Wolvenstraat 23, 8500 Kortrijk
- AGO Construct NV (0874.698.785), with registered office at Wolvenstraat 23, 8500 Kortrijk
- NxtPeople (0439.600.535), with registered office at Wolvenstraat 23, 8500 Kortrijk
- GoTemp NV (0878.439.126), with registered office at Wolvenstraat 23, 8500 Kortrijk
- The People Panel NV (0726.809.122), with registered office at Wolvenstraat 23, 8500 Kortrijk
- AGO Interim France (FR48 420 295 289), with registered office at 14 Rue de la Cloche, 59200 Tourcoing
- AGO Interim Roubaix Tourcoing (FR 72 490 724 960), with registered office at 14 Rue de la Cloche, 59200 Tourcoing
- AGO Interim Hainaut (FR77 489 557 405), with registered office at 14 Rue de la Cloche, 59200 Tourcoing
- AGO Interim Alp'Azur (FR 58 503 360 240), with registered office at 14 Rue de la Cloche, 59200 Tourcoing
- Business Support France (FR80 485 057 673), with registered office at 14 Rue de la Cloche, 59200 Tourcoing

are each responsible for the processing of your personal data.

As data controllers, these companies declare that they comply with the applicable privacy regulations.

2. What are personal data?

The General Data Protection Regulation defines personal data as follows:

any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

More details about the collected data are discussed below.

Whenever this Privacy Policy refers to personal data, it refers to this definition from the Regulation.

AGO Jobs & HR also processes special categories of personal data. Processing of special categories of personal data means:

processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a person, or data concerning health, or data concerning a person's sex life or sexual orientation.

3. Which personal data are processed?

We collect and process various personal data from our candidates and temporary agency workers. These include:

- Your application file (including your CV, cover letters, notes taken during the interview; information following reference checks; your evaluation, your test results, etc.)
- Photos and videos (on a voluntary basis and subject to consent)
- Payroll information such as: your national register number, your address, your seniority, your marital status, your bank account number, your family composition, your date of birth, your phone number, your e-mail address
- Your personal data, including the national register number in case of electronic voting, within the framework of the Belgian Act on Social Elections of 4 December 2007
- Your salary and payslips
- The name of an emergency contact person
- Information about the number of children and your marital status
- Your nationality
- Your place of birth and date of birth
- Your gender
- Preferred language of communication
- Your employment file (including information about your evaluation, illness, short leave, your social documents, etc.)
- Judicial data where required under applicable legislation

4. Why are these personal data processed and what is the legal basis?

Within AGO Jobs & HR, your personal data are collected and processed solely for the purposes described below.

In general, AGO Jobs & HR processes your data in situations permitted by law:

- For candidates
 - During the recruitment and selection process
 - Data necessary to take pre-contractual steps. AGO Jobs & HR must be able to mediate and find a suitable job for you. This applies both when we contact you and when you contact us yourself or apply for a vacancy.
 - Legitimate interest when your personal data are freely accessible and were therefore disseminated by you with a view to finding suitable employment, e.g. LinkedIn and other platforms where employers can search for good candidates.
 - At the end of the recruitment and selection procedure: AGO Jobs & HR needs your explicit consent to include you in the agency's talent pool.
- For temporary workers
 - Necessary for the performance of the agreement.
AGO Jobs & HR needs your personal data in order to conclude an employment contract with you.
 - Compliance with legal obligations in the context of your employment, in accordance with labour law and social security provisions.

4.1. Processing with your explicit consent

When you registered (online), you gave AGO Jobs & HR permission to process your personal data in order to search for a suitable job for you, including but not limited to:

- taking references from persons and companies indicated by you
- including you in AGO Jobs & HR's talent pool
- informing you about vacancies that best match your profile
- informing you about our new products and services (e.g. sending you information via SMS, WhatsApp and/or e-mail that may interest you, such as vacancies, job events and related messages)
- your photo on your CV or via upload on the website (on a voluntary basis)
- possible photos at events for communication purposes

In addition, during your recruitment and selection process or during your employment, you may have given explicit consent for certain information about you to be processed. For example, if you experience certain complaints or symptoms, this may be processed by AGO Jobs & HR with your explicit consent insofar as this information, regardless of its nature, is directly relevant to performing the job for which you are being considered. Moreover, this information must be able to be objectively and generally qualified as criteria of unsuitability for the job for which the temporary agency worker is being considered. For such processing, AGO Jobs & HR must comply with additional formalities such as drawing up a list of categories of persons who have access to these data, describing their capacity, and making this available to the Data Protection Authority. AGO Jobs & HR must also include a confidentiality clause in the employment contract with the relevant categories of persons who have access to these data.

If you wish that data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership be processed by AGO Jobs & HR, this can only be done with your explicit consent. This is only possible if the information, regardless of its nature, is relevant to performing the job for which the temporary agency worker is being considered, and insofar as this information can in fact be generally qualified as criteria of unsuitability for that job.

Furthermore, with your explicit consent, AGO Jobs & HR may also process any information that is indirectly relevant to the performance of the job for which you may be considered. In this situation, this concerns information that helps to form an overall picture of you and of your competences and skills.

4.2. Processing necessary for the performance of an agreement

AGO Jobs & HR processes your personal data because they are necessary for the performance of an agreement. This includes:

- Your nationality, gender, country of birth, date of birth, ID documents such as identity card, passport, residence permit, to verify whether these data correspond and to verify whether you may be employed via AGO
- Your marital status and dependent children for calculation purposes for tax and social purposes
- Payroll information for salary administration
- Salary for drafting the employment contract
- Payslips as proof of payment of your salary
- Your employment data such as employment periods, periods of suspension of the employment contract such as illness, work accident, short leave, etc., to report to the user where you are employed via AGO Jobs & HR
- Your photo for creating a badge to gain access
- Making your data available to potentially interested employers and to employers where you are hired via AGO Jobs & HR (possibly in a permanent position)
- Using your test results in application procedures with one or more potentially interested employers
- Use of your national register number to consult the available "student@work" quota if there is a concrete student vacancy matching your profile
- Storing and possibly using the name of a contact person so that we can contact a family member or close person in case of emergencies

4.3. Processing to comply with certain legal obligations

AGO Jobs & HR is subject to a number of legal obligations, including but not limited to:

- declaration of your employment to the National Social Security Office (NSSO) via the Social Security website (DIMONA declaration)
- declaration of any employment abroad (LIMOSA declaration)
- requesting your extract from the criminal record if the job you wish to perform is included in the list for which this is legally required
- declaration of your performances to various social security institutions, the tax authorities, etc.
- sharing your data with users where you work in order to comply with inspections by supervisory authorities
- your nationality, gender, country of birth, date of birth, ID documents to detect identity fraud
- transfer of data relating to a work accident to the work accident insurer for further handling of the file
- processing, consulting and handling data mentioned in the PI-M database, managed by Preventie & Interim, where the fitness/aptitude of temporary workers is stored.

4.4. For the purposes of the legitimate interests of AGO Jobs & HR or a third party

- Ensuring better management of our sites and the services we can offer you
- Sharing your data with users where you work for statistical and strategic purposes
- Sharing your data with users where you work for audit reasons and identity checks
- Preferred language for communication between the agency, the user, and the temporary worker or candidate.
It is very important that you understand us and vice versa, and that you sufficiently understand all safety and access measures that apply at the user so that you can comply with them. AGO Jobs & HR is also bound by the language legislation in force in Belgium.
- After the retention period has expired, the data in your file are retained in a more limited way in order to guarantee continuity of our services.

5. Duration of processing

AGO Jobs & HR distinguishes between three types of retention periods:

- Active retention period: consultation for the initial purpose
- Passive retention period: retention in the context of limitation periods
- Archiving: anonymisation/pseudonymisation for statistical purposes and company purposes in the context of economic interest

Concreet houdt dit het volgende in:

Category	Active	Passive	Archiving
CANDIDATES	Up to 3 years after the last contact regarding the update of the file	Up to 10 years after the last contact in the context of the limitation period regarding discrimination (5 years) and the limitation period for commercial claims (10 years)	for statistical purposes and/or economic interest
TEMPORARY WORKERS	Up to 5 years after the end of the last employment contract: limitation period for legal claims under labour law and the Social Criminal Code	Up to 10 years after the end of the last employment contract: limitation period for commercial claims and limitation period in the context of VAT and work accidents	for statistical purposes of the agency + economic interest of the agency

After expiry of this period, AGO Jobs & HR will contact you again to request your consent if you wish to remain in the database for a longer period.

6. What are your rights as a candidate/temporary agency worker?

a) Right of access and inspection

You have the right at any time to access your personal data, as well as the use we make of your personal data, in accordance with the provisions applicable in the sector.

b) Right to rectification, erasure and restriction

You are free to provide or not provide your personal data to us. In addition, you always have the right to request that we correct, complete or delete your personal data. You cannot object to the processing of personal data necessary for our payroll administration and the data we are required by law to keep and process. You may also request that the processing of your personal data be restricted.

c) Right to object

You also have the right to object to the processing of your personal data for serious and legitimate reasons.

d) Right to data portability

You have the right to obtain your personal data processed by us in a structured, commonly used and machine-readable format and/or to transfer them to other controllers, in accordance with the provisions applicable in the sector.

e) Right to withdraw consent

Insofar as processing is based on your prior consent, you have the right to withdraw that consent.

f) Exercising your rights

You can exercise your rights via the AGO Jobs & HR website, via the online **MyAgo platform** or via **privacy@ago.jobs**.

g) Complaints

You have the right to lodge a complaint with the Belgian Data Protection Authority, Drukpersstraat 35, 1000 Brussels, tel. +32 (0)2 274 48 00, fax +32 (0)2 274 48 35, e-mail: commission@privacycommission.be.

This does not affect the right to bring proceedings before a civil court.

If you suffer damage as a result of the processing of your personal data, you may bring a claim for compensation.

7. What are the limitations on your rights?

The exercise of your rights may nevertheless be restricted on certain grounds.

This concerns safeguarding:

- National security
- National defence
- Public security
- The prevention, investigation, detection and prosecution of criminal offences or the execution of criminal penalties
- Other important objectives of general public interest
- Protection of the independence of the judiciary and judicial proceedings
- The prevention, investigation, detection and prosecution of breaches of professional codes for regulated professions
- A task in the area of supervision, inspection or regulation linked to the general interest
- Protection of the individual
- Collection of civil law claims

8. Transfer to third parties (remove what does not apply, if necessary)

Some of the personal data we process about you may be transferred to third parties. This concerns the following:

- a) Payroll information is transferred on the one hand to our social secretariat for the purpose of carrying out our payroll administration and on the other hand to the competent public authorities in the context of our legal obligations;
- b) Transfer of your data to our IT provider
- c) Transfer of your data to the company used by AGO Jobs & HR to provide administrative support
- d) Transfer of your data to the company used by AGO Jobs & HR to comply with accounting obligations incumbent on AGO Jobs & HR
- e) Transfer to the provider for granting meal vouchers and/or eco vouchers
- f) Transfer to the provider for granting gift vouchers
- g) Transfer to AGO Jobs & HR's work accident insurer
- h) Transfer to external services for prevention and protection at work if you must undergo a health assessment before starting employment
- i) Transfer to the Training Fund for temporary agency workers if you are scheduled for training
- j) Transfer to certain training centres if you are scheduled for training
- k) Transfer to your health insurance fund so that your sickness file is in order
- l) Transfer to AGO Jobs & HR's child benefit fund so that you receive your maternity allowance and/or child benefit in time
- m) Transfer to the National Employment Office (RVA/ONEM) so that your benefits are in order
- n) Transfer to inspection services if they request specific information
- o) Transfer to the Public Centre for Social Welfare (OCMW/CPAS) if they request specific information
- p) Transfer to Unified Post so that you can sign your employment contracts with AGO Jobs & HR electronically
- q) Transfer to the institutions that ensure you always receive your payslips and employment contracts
- r) Transfer to the institution that provides AGO Jobs & HR's on-call service

- s) Bailiffs, credit or banking institutions, debt mediators, DAVO, in the event of wage assignment, wage garnishment, wage waiver, maintenance payments
- t) Legal advisers if you are involved in legal proceedings

Some third parties process personal data on behalf of our organisation to perform a specific task. We conclude processing agreements with all these organisations acting as processors and make every effort to ensure they secure your personal data adequately.

Your personal data will not be sold, rented, distributed or otherwise made commercially available to third parties, except as described above or with your prior consent.

Your personnel file may also be transferred to the audit firm to perform an audit in the context of obtaining/retaining the quality label of the professional federation.

In rare cases, we may have to disclose your personal data pursuant to a court order or to comply with other mandatory legal or regulatory requirement.

9. Transfer of your personal data to the user (client company)

In the context of temporary agency work, it is necessary that the user has certain information about you. This falls within the purposes of the Act of 24 July 1987 on temporary work, temporary agency work and the provision of workers to users.

Identification data of the temporary worker	Legal basis: Legitimate interest (necessary to identify the temporary worker who will work at the user)	Last name, first name
Administrative data; professional qualification; physical data	Legal obligation	Confirmation that the temporary worker has been declared fit for work in order to perform the job in the context of the mandatory pre-employment medical examination
		Specific professional qualification
		Physical data if the user must provide work clothing:
National register number	Explicit consent / legal obligation (DIMONA)	Identification and authentication purposes
Social documents	Explicit consent	

10. Security and confidentiality

AGO Jobs & HR applies strict standards to protect the personal data under its control against unauthorised or unlawful processing and against accidental loss, destruction or damage.

AGO Jobs & HR has therefore developed security measures adapted on a technical and organisational level (such as encryption, firewalls, access controls, strict selection of employees and suppliers) to prevent the destruction, loss, falsification, alteration, access by unauthorised persons or accidental disclosure to third parties of collected personal data, as well as any other unauthorised processing of these data.

In the unlikely and unfortunate event that your personal data under AGO Jobs & HR's control are compromised due to an information security breach, AGO Jobs & HR will act immediately to identify the cause of the breach and take adequate remedial measures. Where necessary, AGO Jobs & HR will inform you as well as the Data Protection Authority of this incident in accordance with applicable legislation.

11. Amendments to the Privacy Statement

AGO reserves the right to amend this Privacy Policy at any time. Any change to the Privacy Policy will be announced on this website. The most up-to-date Privacy Policy can always be consulted on the AGO website (www.ago.jobs).

If any provision of this Privacy Policy is wholly or partially null and void, voidable or contrary to law, it shall be deemed severable and shall not apply. In such case, AGO Jobs & HR will replace the relevant provision with a provision of similar effect that is not wholly or partially null and void, voidable or contrary to law. The remaining provisions of the Privacy Policy shall remain fully in force.

12. Cookie policy

During a visit to the AGO Jobs & HR website, cookies may be stored on the device used to visit the website. On a subsequent visit, these cookies may be recognised. More information can be found in our Cookie Policy on the website www.ago.jobs. The AGO Jobs & HR website is owned by NxtPeople. The cookie policy applies to all NxtPeople websites.

13. Use of log files

The AGO Jobs & HR Website automatically collects certain information about visitors to its Website, including the Internet Protocol (IP) address of your computer, date and time of access to the Website, the internet address of the website from which you were linked to the AGO Jobs & HR Website, the IP address of your Internet Service Provider, the operating system, the components, information and pages of the Website you visited and/or viewed, as well as the material you send or download from the Website.

This technical information is used for managing the Website and to optimise the Website and AGO's services. In addition, these data may be used for historical, statistical or scientific purposes. The stored technical data may be transferred to third parties and may be permanently stored for future use.

14. Automated individual decision-making, including profiling

AGO will not use your data to make decisions based solely on automated processing.

Profiling is any form of automated processing of personal data whereby personal data are used to evaluate certain personal aspects of a natural person in order to make predictions.

Profiling may only be used by AGO Jobs & HR to support the recruitment and selection process and/or for direct marketing. With regard to profiling, you may rely on your right to object and your right to be informed.