

Essence of the agreement of processing of personal data in joint controllership

between

Eucon GmbH, Martin-Luther-King-Weg 2, 48155 Münster

– hereinafter “**Controller A**” –

and

Eucon Digital GmbH, Martin-Luther-King-Weg 2, 48155 Münster

– hereinafter “**Controller B**” –

and

Eucon Holding GmbH, Martin-Luther-King-Weg 2, 48155 Münster

– hereinafter “**Controller C**” –

and

Eucon of North America, LLC, 1230 Peachtree Street NE, Suite 2330, Atlanta, GA 30309, USA

– hereinafter “**Controller D**” and together with Controller A, B and C “**the Parties**” –

The Parties have concluded an agreement on the joint use of personal data as joint controllership according to Art. 26 GDPR.

1. Nature, scope and purposes of joint controllership are set out below:

Scope and nature	Purposes and means	Data subjects	Data categories	Responsibility
Controller A operates HR planning for the planning and implementation of strategic measures, control of operational procedures and optimization (data flow from the HR system rexx via data processing in IT to the controlling systems) for Controller B and D	Employee-related personnel data within the framework of HR planning for the planning and implementation of strategic measures, control of operational processes and for optimisation. (Data flow from the HR system rexx via data processing in IT to the systems of controlling)	Employees	Personnel master data (personnel number, name, status, supervisor, date of leaving, weekly hours/FTE, type of employment relationship, incentive wage, entry date, time limit, organisational assignment, abbreviation, date of birth, form of address, cost centre, costing group, contact data (office), location, period of notice, role), absence data, data on remuneration/bonus/benefits	Controller A defines the purposes and means together with Controller B and Controller D.
Controller A controls the marketing measures as well as the management of advertising material for the brand/group Eucon for Controller B and D	General marketing measures around the "Eucon" brand	Customers, partners, interested parties, suppliers	First name, surname, company name, address, position, industry, customer number, customer type, contact history, data on interests	Controller A defines the purposes and means together with Controller B and Controller D.

Controller A carries out the press and public relations work brand/group Eucon for Controller B and D	Press and public relations, presentation of the company	Journalists, customers, partners, interested parties	First name, surname, company name, medium, address, position, industry, customer number, customer type, contact history, data on interests	Controller A defines the purposes and means together with Controller B and Controller D.
Controller A assumes the sustainability and social responsibility measures for Controller B and D	Social responsibility and sustainability measures	Customers, partners, interested parties	First name, surname, company name, address, position, industry, customer number, customer type, contact history, data on interests	Controller A defines the purposes and means together with Controller B and Controller D.
Controller A takes over the travel expenses for Controller B and participates in the decision on the granting of the reimbursement.	Travel expense accounting	Employees	Travel expense accounting (all necessary address and bank details for travel expense accounting)	Controller A defines the purposes and means together with Controller B.
Controller A completely runs the accounting for Controller B and C and in this context processes the necessary data of the customers and service providers of Controller B and C.	Accounts receivable accounting, financial accounting, cost and performance accounting	Customers	Address data (company, name, address, e-mail), invoice address, contract data, customer number, type of customer, bank details, booking data, incoming payment data	Controller A defines the purposes and means together with Controller B and Controller C for each of them.
Controller A completely runs the accounting for Controller B and C and in this context processes the necessary data of the customers and service providers of Controller B and C.	Accounts payable, financial accounting, cost and performance accounting	Suppliers	Address data (company, name, address), bank details, booking data, bank transfer data	Controller A defines the purposes and means together with Controller B and Controller C for each of them.
Controller A operates for Controller B and C, after booking in the accounts, the possible payment of liabilities to customers and service providers of Controller B and C.	Payment of payables	Customers, suppliers	Credit transfer and direct debit data (name, bank details, purpose of transfer, amount)	Controller A defines the purposes and means together with Controller B and Controller C for each of them.
Controller A prepares the annual financial statements for Controller B and C and in this context processes the necessary data of the customers and service providers of Controller B and C.	Preparation of annual financial statements	Employees, customers, suppliers	All booking data	Controller A defines the purposes and means together with Controller B and Controller C for each of them.
Controller A generates corresponding account statements for Controller B and C for posting	Account statements for posting in the financial accounting	Customers, suppliers, employees	Bank statement data (name, bank details, purpose of entry, amount)	Controller A defines the purposes and means together with Controller B.

<p>Controller A conducts the personnel development and further training of employees for Controller B, also by booking external further training on the basis of the respective skills, knowledge and tasks of the employees</p>	<p>Competence-maintaining further training (continuous training), improving the knowledge, skills and suitability of the current workplace, maintaining the workforce in the context of health promotion</p>	<p>Employees</p>	<p>Employee data (name, date of birth, organisational unit, function, years of employment), school, vocational or academic qualifications, acquired qualifications, qualification papers, qualification status with regard to requirements of the job description, planned and implemented training measures</p>	<p>Controller A defines the purposes and means together with Controller B.</p>
<p>Controller A operates the applicant management for Controller B and D, manages the applications and applicant data for Controller B and D, makes decisions on interviews and hiring or rejection together with Controller B and D.</p>	<p>Recruitment of new staff, selection and processing of applications to fill vacancies. Processing of the application procedure from receipt of the application to the recruitment of an applicant or rejection.</p>	<p>Applicants</p>	<p>Application data: - Name (first name, surname, title, form of address), - Address (private), - Date of birth, - Place of birth, - Gender, - nationality, - Photograph, - E-mail address (private), - driving licence data, - Telephone numbers private, - Marital status, - Data of family members: Parents / children: Date of birth/age, name, job title, - Professional qualification, - Study, - Data on vocational education and training, - Career details (including job references), - Data on professional / private interests, - Data on employment, - Membership in associations, - voluntary activities</p> <p>Accounting data: - Bank details - Travel data (arrival and departure, means of transport)</p> <p>Job description</p>	<p>Controller A defines the purposes and means together with Controller B and Controller D.</p>
<p>Controller A runs the personnel management for Controller B and D, manages the personnel files and personnel data for Controller B and D, and, together with Controller B and D, makes decisions on</p>	<p>central administration of employee data, contracts; personnel management</p>	<p>Employees</p>	<p>Name, address, contact data, dates of birth, marital status, curriculum vitae, data from the application, data on accounting, tax class, health insurance, pension insurance, working hours, absences and holidays, religious affiliation, illness, remuneration,</p>	<p>Controller A defines the purposes and means together with Controller B and Controller D.</p>

salaries, promotions, hiring and other personnel decisions.			instructions, work equipment etc.	
Controller A creates and administers central guidelines and specification documents to employees for Controller B and D.	Creation and management of guidelines and specification documents	Employees	No personal data is exchanged during the creation and administration of guidelines.	Controller A defines the purposes and means together with Controller B and Controller D.
Controller A assumes the fulfilment of the data subject rights for Controller B and C with regard to the employees	Fulfilment of the rights of the data subjects according to Art. 12 GDPR, to which they are legally entitled. (with regard to joint responsibility)	Data subjects claiming rights	Name, address, e-mail address, telephone number, request	Controller A defines the purposes and means together with Controller B and Controller C for each of them.
Controller A does the accounting for Controller B with regard to salaries and charges in personnel management	Booking, Payment of salaries, health insurance and tax office	Employees	Address data (name, address), bank details, booking data, bank transfer data, payment order data	Controller A defines the purposes and means together with Controller B.
Controller A makes payments for Controller B in respect of salaries and charges in human resources	Payment of salaries, other benefits and reimbursement of expenses	Employees	Transfer data (name, bank details, purpose of transfer, amount)	Controller A defines the purposes and means together with Controller B.
Controller A operates the complete management and administration of the IT systems and databases of Controller B and thus has access to the data of customers, employees and service providers of Controller B	Operation, maintenance and harmonisation of the IT system landscape	Employees	Name Contact details (phone, e-mail)	Controller A defines the purposes and means together with Controller B.
Controller A is responsible for ensuring the IT security of Controller B and takes appropriate technical measures	Securing the company network, physical access control, electronic access control, transfer control, error analysis	Users of the IT infrastructure	Log data, user data: name, IP address, date, time	Controller A defines the purposes and means together with Controller B.
Controller A is responsible for ensuring the IT security of Controller B and D and carries out data based error analyses	Storage is used for error analysis and to control unauthorised access, error analysis of outgoing and incoming e-mails; make applications with Internet connection securely available to clients. Access control	Users of the IT infrastructure	Log data, user data: name, IP address, date, time	Controller A defines the purposes and means together with Controller B and Controller D.
Controller A takes over the application management for Controller B	Application and service management	Employees	Name Contact details (phone, e-mail)	Controller A defines the purposes and means together with Controller B.

Controller A is responsible for the IT support for employees of Controller B and D and provides a service desk for this purpose	Recording of malfunctions, requests, changes	Employees	Technical malfunctions: - User ID - Name - Contact details (phone, e-mail) - Device / Application - malfunction - Content of the request - Status of the request - Solution description	Controller A defines the purposes and means together with Controller B and Controller D.
Controller A handles the procurement of hardware and software for Controller B	procurement of hardware and software components	Employees, suppliers	Employee: Name, contact details, address Supplier contact person: name, address, e-mail, bank account	Controller A defines the purposes and means together with Controller B.
Controller A handles user management and logging for controllers B and D	user management and logging	Users of the IT infrastructure, administrators	Internet usage data; workplace usage data; remote access data VPN; e-mail logging data; user data; user logging data; administrator logging data; application and system usage data	Controller A defines the purposes and means together with Controller B and Controller D.
Controller A centrally manages the contact data of the employees of all controllers and makes this database available to all controllers.	Internal contact management and communication within the group of companies	Employees, external staff	Name, department, company telephone number, company e-mail address	Controller A defines the purposes and means together with Controller B and Controller C and Controller D for each of them.
Controller A provides the domain @eucon.com and the e-mail server for the other controllers and administrates the server	Shared use of a single e-mail domain and a single e-mail server	Customers, suppliers, employees, external staff, interested parties, everyone with whom e-mail contact exists	E-mail address, name, contents of the e-mails, sending data of the e-mails	Controller A defines the purposes and means together with Controller B and Controller D.
Controller A controls the marketing instruments as well as the distribution channels for Controller B	Control of marketing instruments and distribution channels and determination of product prices	Customers, interested parties	First name, surname, company name, address, position, industry, customer number, customer type, contact history, data on interests	Controller A defines the purposes and means together with Controller B.
Controller A and Controller B jointly operate appearances on social media platforms such as Facebook, Instagram, Twitter and LinkedIn	Joint appearance in social media platforms for joint presentation of the service catalogue and joint communication with interested parties	interested parties, Social Media users	Names, account details, data relating to social media Use of the appearances there, if provided by the provider	Controller A defines the purposes and means together with Controller B.
Controller A operates the company website eucon.com jointly with Controller B, controls the content together with Controller B and	Joint Internet presence for the joint presentation of the service catalogue and the companies; joint analysis to improve the offer; joint	Website users	Log data, IP address, name, e-mail address, data from cookies and tracking	Controller A defines the purposes and means together with Controller B.

uses all analysis tools, third-party tools and cookies together with Controller B				
Controller A operates the provision of a fleet of vehicles for shared use also by employees of Controller B and in this context processes employee data of Controller B	Management of the vehicle fleet	Employees	Name, vehicle data, existence of a driving licence	Controller A defines the purposes and means together with Controller B.
Controller A takes over the joint purchase order for goods and services from suppliers for Controller B	Processing of orders	Employees Service provider/supplier	Address, contact and order data	Controller A defines the purposes and means together with Controller B.
Controller A handles the joint electronic filing and administration of contracts for Controller B, C and D	Electronic filing and administration of contracts in the course of business operations	Employees Service provider/supplier	Address, contact and contract data	Controller A defines the purposes and means together with Controller B, Controller C and Controller D for each of them.
Controller A is responsible for building management and the administration of access rights for controllers B and C at the joint company headquarters.	Manage and monitor of access authorisations	Employees	Name Contact details (phone, e-mail)	Controller A defines the purposes and means together with Controller B and Controller C for each of them.
Controller A is responsible for safeguarding the domiciliary right and avoiding uncontrolled access for Controllers B and C at the joint company headquarters.	The purpose of the survey is to safeguard domiciliary rights; avoidance of uncontrolled access	Employees Visitors (service providers, customers, etc.)	Name Contact details (phone, e-mail)	Controller A defines the purposes and means together with Controller B.
Controller A operates a joint mailing of invitations to joint events for Controller B.	Creation of contact/address lists for sending invitations to events by e-mail/letter.	Employees Customers Interested parties Suppliers	Name Contact details (phone, e-mail) Name of the company, address, position, industry, data on interests	Controller A defines the purposes and means together with Controller B.

2. The duties and responsibilities with regard to the aforementioned data processing are carried out as follows:

	Controller A (Eucon GmbH)	Controller B (Eucon Digital GmbH)	Controller C (Eucon Holding GmbH)	Controller D (Eucon LLC)
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Ensuring the lawfulness of data processing in accordance with Art. 6 GDPR, obtaining consent if necessary.	Towards interested parties, customers and service providers of A and C, towards employees of A, B, C and D	Towards interested parties, customers and service providers of B		Towards interested parties, customers and service providers of D
Provision of the key elements of the agreement according to Art. 26 II GDPR.	Towards customers and service providers of A and C, towards employees of A, B, C and D	Towards customers and service providers of B		Towards customers and service providers of D
Art. 13 GDPR Obligation to provide information where personal data are collected from the data subject.	Towards customers and service providers of A and C, towards employees of A, B, C and D	Towards customers and service providers of B		Towards customers and service providers of D
Art. 14 GDPR Obligation to provide information where personal data have not been obtained from the data subject.	Towards customers and service providers of A and C, towards employees of A, B, C and D	Towards customers and service providers of B		Towards customers and service providers of D
Art. 15 GDPR Processing of requests for access by the data subject.	full responsibility			
Art. 16 GDPR Processing of requests for rectification.	full responsibility			
Art. 17 o. 18 GDPR Processing of requests for erasure or restriction of processing and Art. 19 notification of the above obligations.	full responsibility			
Art. 20 GDPR Processing of requests für data portability.	full responsibility			
Art. 21 GDPR Processing of objections.	full responsibility			
Art. 24 para. 1 i.c.w. Art. 32 GDPR Determination of the technical and organisational measures following risk assessment and where appropriate, data protection impact assessment (Art. 35) and consultation of a supervisory authority/transmission of the necessary information (Art. 36 (3) GDPR).	full responsibility			
Art. 24 para. 1 GDPR Documentation of the selected techn.-org. measures (as proof).	full responsibility			
Art. 24 para. 1 GDPR Review and update of measure.	full responsibility			
Art. 28 GDPR Involvement of processors or subprocessors and their supervision.	full responsibility			
Art. 30 GDPR Maintenance of the record of processing activities.	full responsibility			
Art. 32 GDPR Agreements on the implementation of techn.-org. measures.	For all procedures where Controller A predominantly assumes the tasks or functions			
Art. 33, 34 GDPR Process in case of reportable data breaches (mutual	full responsibility			

information, possible designation of a lead person);				
Art. 35, Art. 36 GDPR necessary cooperation and mutual assistance in the context of data protection impact assessment	full responsibility			
Art. 37 GDPR Designation of data protection officer.	For Controller A	For Controller B	N/A	N/A

3. Contact point for the data subjects Art. 26 para. 1 s. 3 GDPR

The primary contact point for data subjects for processing operations under joint controllership is:

Eucon GmbH, Martin-Luther-King-Weg 2, 48155 Münster, Telephone +49 251 14496-219, e-mail: datenschutz@eucon.com.

Alternatively, the data subject may contact the data protection officer of Controller A (= primary contact point) directly at the postal address given, with the addition "To the data protection officer" or at the e-mail address: datenschutz@eucon.com.

Notwithstanding the foregoing, the data subject may assert their rights under the GDPR with and against each individual Controller (Art. 26 para. 3 GDPR).

4. Data transfer to the USA

For the joint controllership with Controller D and the associated possible transfer of data to a third country, the parties 2 have agreed the EU standard contractual clauses in the sense of Article 46 (2) GDPR.