



Data Protection Declaration for Permanent and Contract Employees

Protecting and securing data are important matters at TU Wien. Personal data are processed in strict compliance with the principles and requirements laid down in GDPR¹ and the Austrian DSG². TU Wien processes only those data required to achieve the purposes intended and at all times endeavours to ensure the security and accuracy of the data.

Purpose of data processing:

We collect your personal data in order to process and transmit data for: payroll accounting purposes; to comply with recording, information and reporting requirements as far as this is required by law or standards of collectively-agreed legal provisions or employment contract obligations, including automatically-generated and archived text documents (such as correspondence) in these matters.

We collect personal data from you directly.

Legal basis for processing data:

This use of personal data is based on one of the following legal bases, as applicable:

- the need to process your personal data in order to fulfil your employment or service contract;
- to fulfil our statutory obligations as an employer; and
- in some special and limited cases where you give your consent.

Categories of processed data:

- job application data (school and job history, vocational qualifications, additional qualifications, references);
- personal master data (name, date of birth, gender), national ID card or passport details;
- contact data (address, telephone number, email address);
- employment data or apprenticeship/traineeship data (start date, exit date);
- religion/religious denomination (for purposes of absence management on religious holidays);
- marital status, data on family members (such as name, date of birth, social insurance number);
- photo;
- nationality, statutory employment eligibility (data on residence and work permit);
- working hours data;
- position as a works council official, function as a works council election committee member;
- data for managing annual leave and other absences (e.g. illness, maternity leave, release from duties);
- bank accounts details;
- financial data (e.g. sole-earner deduction);
- pay data (e.g. gross and net pay, wage garnishment data) and expenses (e.g. travel expenses);
- social insurance data, co-insurance;
- data for employee pension fund;
- data for pension fund;
- degree of disability as per Austrian Disabled Persons Employment Act;
- additional occupation.

¹ General Data Protection Regulation

² Austrian Data Protection Act
25.7.2018 V1.1



Categories of recipients of personal data:

Your personal data will be forwarded to the following recipients on the basis of statutory provisions or contractual agreements:

- payroll accounting (Bundesrechenzentrum GmbH / Austrian Federal Computing Centre);
- social insurance institution (including company health insurance funds);
- Bundesamt für Soziales und Behindertenwesen – Sozialministeriumservice e.g. in accordance with sec 16 of the Austrian Disability Employment Act;
- the Austrian Inland Revenue Authorities;
- company pension funds in accordance with sec 11, par 2 (5), and sec 13 of the Austrian Occupational Pensions Act;
- the Apprentice/Trainee Office in accordance with sec 12 and 19 of the Austrian Vocational Training Act and vocational schools;
- the Austrian Public Employment Service (AMS);
- the Labour Inspectorate, in particular sec 8 of the Labour Inspection Law;
- the regional administrative authority for administrative enforcement issues (responsibilities in accordance with the Austrian Safety and Protection of Health at Work Act);
- funding bodies in accordance with sec 26 and 27 of the Austrian University Act (UG) and their control bodies;
- transmitting data in fulfilment of statutory reporting requirements:
 - in accordance with the Austrian Educational Documentation Regulations to the Austrian Ministry of Education, Science and Research and to Statistics Austria;
 - to the Austrian Audit Office;
- transmitting data as part of statutory obligations to cooperate in audits by
 - the Austrian Audit Office;
 - Statistics Austria;
 - the Austrian National Accounting Office;
 - other auditing organisations, e.g. in joint audits of wage-related levies;
 - auditing firms;
- election committee member for works council elections;
- bodies representing company interests (in particular the Works Council in accordance with sec 89 of the Austrian Employment Relations Constitution Act, the company workplace safety officer in accordance with sec 10 of the Austrian Safety and Protection of Health Act and the disabled employees' representative in accordance with sec 22(a) of the Austrian Disabled Employees Act);
- creditors of the data subject and, if necessary, other persons/parties involved in asserting legal rights, including in the case of voluntary assignments of salary for due claims;
- banks with payments/disbursements to the data subject or to affiliated third-party;
- from the trade union named by the employee, with the consent of the data subject;
- co-insured persons/parties;
- pensions funds;
- insurance organisations as part of existing group or individual insurance policies



Data processing for systems administration and security purposes:

Due to the applicable statutory data security regulations, a number of your data are processed for system administration and security purposes, such as managing user IDs, allocating hardware and software to system users and for system security. This includes automatically-created and archived text documents (such as correspondence) related to these matters. If this data is not processed, the secure operation of the system and hence employment in our organisation are not possible.

Data processing for purposes of processing, documenting and preserving evidence, monitoring and reviewing research or third party funded projects:

For the purposes of processing, documenting and preserving evidence, monitoring and revising research or third-party-funded projects, data relating to employment contracts (e.g. the degree and extent of employment, area of responsibility and duration of employment) and accounting data (employment contracts, working time records, absences, salary slips) are processed in accordance with the applicable statutory provisions and transmitted to the respective funding body and its review bodies.

Publishing job-related contact data in the intranet:

Professional contact details are published on the intranet in order for colleagues to establish contacts. This is due to our legitimate interest in smooth business processes.

Publication of professional contact details on the TU website:

The professional contact details of employees are published on the internet in order to enable clients and suppliers to contact us. We do this in order to further our legitimate interest in smooth business processes.

Data processing in the event of employment disputes:

If a legal dispute arises during a legitimate employment or service relationship or after the termination of such a relationship, the data necessary for asserting any appropriate legal rights will be transmitted to legal representatives and courts.

Processing of your voluntary consent to providing data:

Giving your religion is voluntary and based on your consent if you wish to assert related rights. Informing us of your trade union membership is voluntary and based on your consent if your trade union membership subscription is to be paid by your employer.

Publication of your photo in the intranet/on the TU website is voluntary and based on your consent. You are deemed to have given this consent if you upload your own photograph. You can revoke this consent at any time, including by erasing your photo yourself. Use of a photo on the employee's card for the purpose of verifying your identity is compulsory; in this case, processing will take place by reason of the predominating interest of TU Wien in being able to identify employees.

All consents can be revoked independently of each other at any time. Revocation means that we will no longer process your data from this point in time for the above-mentioned purposes and that you will no longer be able to claim the corresponding rights and benefits etc. If you wish to revoke your consent, please contact: datenschutz@tuwien.ac.at.

**Storage period:**

We store your data until the end of the employment or service relationship or longer, provided this is stipulated by legal retention periods or as for long as legal claims arising from the employment or service relationship can be asserted against the employer/client.

Your rights connected with personal data:

As a **data subject** of this data processing, you have the following rights vis-à-vis TUWien:

- the right to information;
- the right to rectification;
- the right to erasure;
- the right to restriction of processing of your personal data;
- the right to data portability;
- the right to object.

As the data subject, you are also entitled to complain to the Data Protection Authority about alleged inadmissible data processing or about non-fulfilment of our obligations arising from GDPR.