

## Schedule 4

### Essence of the Joint Controllership Agreement

#### 1. Background

- A. **E-work S.p.A.** with registered office at Via Teocrito 47, 20128, Milano (MI), Tax Code and VAT number 13063380151, **E-work HR Company Poland Sp. z o.o.** with registered office at ul. 90-318 Łódź, Sienkiewicza 82/84, Tax Code and VAT number 7262395049, **e-work Sagl** with registered office at Via Vegezzi, 4, 6900, Lugano, VAT number CHE-114.308.002, phone number: +41 91 922 77 88 (each a **“Party”** and together the **“Parties”**) are employment agencies belonging to e-work group.
- B. Parties have agreed to share each other curricula and other personal data of their candidates, through the implementation of a common database (**“Database”**), in order to propose job offers aimed at establishing an employment or collaboration relationship with Parties’ clients and Parties themselves (the **“Project”**).
- C. In compliance with article 26 of General Data Protection Regulation (**GDPR**), Parties have agreed to enter in a joint controllership agreement to regulate the processing carried out as joint controllers (**“Joint Controllers”**) and provide to data subjects the essence of the Agreement, as described below.

#### 2. Why Parties are Joint Controllers?

2.1. Parties consider themselves Joint Controllers because:

- **they jointly determine means of the processing of candidates’ personal data:** in particular, they have implemented a common Database and they apply, through the same provider, common security measures to such Database;
- **they jointly determine purposes of the processing of candidates’ personal data,** as described in par. 3.

#### 3. What are the jointly purposes pursued by Parties as Joint Controllers?

3.1. Parties jointly pursue the following purposes:

- a. **allowing candidates to register and create a profile** in the reserved area of the website to apply for jobs positions available at Joint Data Controllers’ clients and Joint Data Controllers themselves;
- b. **research and selection** of candidates for job positions available at Joint Controllers (internal job positions) and Joint Controllers’ clients in order to establish an employment or collaboration relationship with them;

- c. **provide** counseling, coaching, job orientation, career transition, professional outplacement and/or training services, where requested by you;
- d. (if any), **acquire references** from previous employers and - possibly - communicate them to the company for which the search for personnel is underway;
- e. **acquire public information** relating to your profile on professional social networks to verify that the data you provide corresponds to what you declared, limited to professional information only;
- f. **sending communications** information, via e-mail, relating to job offers available for job positions open at Joint Controllers' clients and Joint Controllers themselves, events, courses and initiatives organized by the Joint Controllers, including surveys, relating to the world of work;
- g. **fulfilling of legal obligations** to which Joint Controllers are subject (e.g. targeted placement with reference to data subjects belonging to protected categories);
- h. **protecting** your rights during judicial and extrajudicial proceedings.

With regard to processing of personal data carried out for purposes other than those described above, each Party remains the sole Controller of the processing and provides its own privacy notice.

#### 4. What is the joint controller agreement and what does it provide for?

4.1. The joint controller agreement is a mandatory document required by article 26 GDPR, to be drafted when two or more controllers jointly determine the purposes and means of processing. Such agreement regulates in a transparent manner responsibilities of Joint Controllers for compliance with the obligations under the GDPR and applicable privacy laws, in particular with regard to transparency obligations and the exercising of the rights of the data subjects.

4.2. In brief, the joint controller agreement between Joint Controllers regulates their obligations and responsibilities with regard to the processing of candidates' personal data included in the common Database implemented by the same. This processing is aimed at allowing Parties to select and research candidates, proposing them job offers in line with the specific job positions.

4.3. Joint Controllers with reference to transparency obligations and the exercising of the rights of the data subjects have agreed that:

- they shall publish the privacy notice in their respective websites and, in any case, that they shall provide the privacy notice to the data subjects, where personal data have not been collected through their respective websites, making sure that the privacy notice addressed to candidates is updated in due time and consistently with the GDPR;
- in case data subjects exercise their privacy rights, the Party which has collected personal data, either online (e.g. website) or offline, will be responsible for (i) managing the requests and (ii) replying to data subjects;
- given that data subjects may exercise their privacy rights in respect of and against each of the Parties, the same will always cooperate to the best of their efforts to satisfy data subjects' requests in the context of the Project and support their management and resolution in the quickest and most effective way.

## 5. How can data subjects exercise their privacy rights?

5.1. Data subjects can exercise their privacy rights forwarding their request to:

- **E-work S.p.A.** with registered office at Via Teocrito 47, 20128, Milano (MI), Tax Code and VAT number 13063380151, at the following e-mail address: [privacy@e-workspa.it](mailto:privacy@e-workspa.it).

E-work S.p.A. has appointed a data protection officer (DPO) that can be contacted at the following e-mail address: [rpd@e-workspa.it](mailto:rpd@e-workspa.it).

- **E-work HR Company Poland Sp. z o.o.** with registered office at 90-318 Łódź, Sienkiewicza 82/84, Tax Code and VAT number 7262395049, at the following e-mail address: [iod@e-workspa.pl](mailto:iod@e-workspa.pl).
- **E-work Sagl** with registered office at Via Vegezzi, 4, 6900, Lugano, VAT number CHE-114.308.002, phone number: +41 919227788, at the following e-mail address: [privacy@e-work.ch](mailto:privacy@e-work.ch).

## 6. What other rights data subjects can exercise in relation to personal data?

6.1. Data subjects has always the right to lodge a complaint with the Supervisory Authority for the protection of personal data of the State in which data subjects reside, habitually, works or the place where the alleged violation occurred pursuant to article 77 of the GDPR or to take action in the appropriate judicial offices pursuant to article 79 of the GDPR.