

Employee privacy statement



bam



Royal BAM Group nv



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Employee privacy statement

1. Introduction

This is BAM's Privacy Statement provides information on the processing of personal data of the employees of Royal BAM Group nv and its group companies (hereafter collectively and individually referred to as BAM).

The processing of personal data is according to the BAM Privacy policy and the general regulation regarding personal data protection, grounded within one of the following legal bases:

- The processing of personal data is necessary to enter into – or the performance of – a labour contract.
- The processing of personal data is necessary to fulfil a legal obligations that BAM needs to adhere to.
- The processing of personal data is necessary for the protection of vital interest of the involved employee.
- The processing of personal data is necessary when related to legitimate interests of BAM or a third party, except when these interest are overruled by higher interests related to the fundamental rights and freedoms of the involved employee.

2. When does this privacy statement apply?

This privacy statement is applicable to the processing by BAM of all personal data of its (former) employees, job applicants, temporary workers working under direct supervision of BAM, executives or non-executive directors of BAM or (former) members of the supervisory board (henceforth: employees).

3. Who is responsible for your personal data?

BAM and/or its group companies are the controller for the processing of your personal data. This privacy statement indicates what employee personal data are processed by BAM, for what purpose, and to which persons or entities the data will or may be provided. BAM has appointed a Privacy organisation. You can contact BAM's Privacy Officer at privacy@bam.com.

4. For which purposes do we process your personal data?

4.1 For recruitment purposes

a) What does this purpose entail?

If you contact one of our recruiters, apply for a vacancy or register at BAM recruitment website, we include the personal data you provide to us in our recruitment database. Also, we will process your personal data to manage our recruitment database and to communicate with you. For example, we may inform you about new vacancies or invite you for recruitment activities.

b) On what legal basis do we process personal data for this purpose?

The legal basis for processing your personal data for this purpose is your 'consent'. By providing your data to BAM you explicitly consent to the processing of your personal data for the purpose as described in article 4.1 (a). You have the right to withdraw your consent at any time. If you withdraw your consent this does not affect the lawfulness of processing based on consent before withdrawal.

c) Which personal data do we process for this purpose?

For this purpose, we process your contact details, photographs, recruitment information (such as your resume, employment history, education history etc.) and correspondence with BAM with regard to job applications (including references).

d) How long do we retain your personal data for this purpose?

For this purpose, your personal data will be retained as long as necessary to complete the recruitment process. In case we reasonably expect to have alternative job openings that may be interesting for you in the near future, we may retain your personal data for such purposes. We will only retain your data if you have consented to this.

4.2 To enter into an employment contract or contract for services with you

a) What does this purpose entail?

If we offer you a position at BAM, we will process your personal data to prepare and process an employment agreement. We use your personal data for the conclusion, execution and termination of your employment agreement. We will then also store your personal data in our HR database. If you are an independent contractor, we will process your personal data in the same way to enter into an agreement for services with you.

b) On what legal basis do we process personal data for this purpose?

You are required to provide BAM the personal data necessary for the performance by BAM of your employment agreement and to enable BAM to comply with BAM's legal obligations in connection with your employment contract.

c) Which personal data do we process for this purpose?

For this purpose, we process your contact details, date of birth, gender, civil status, nationality, photographs, citizen service number, ID card or passport details, declaration of employment status, chamber of commerce and VAT details, recruitment information (such as employment history, education history details), job and position data, work permit details, availability, terms of employment, tax details, payment details, insurance details and BAM location and business units.

d) How long do we retain your personal data for this purpose?

For this purpose, after the termination of your employment contract, your personal data will be retained (1) for as long as BAM is obliged by applicable law to retain your personal data and (2) if reasonably necessary to protect BAM's legal interests. After this period, we will delete personal from our systems.

4.3 To inform you and communicate with you with regard to your employment

a) What does this purpose entail?

If you are a BAM employee, we store your personal data in our HR database. We then use the data in this database to communicate with you. For example, when BAM informs you of changes in the terms of your employment or of BAM's activities.

b) On what legal basis do we process personal data for this purpose?

The processing of your personal data is necessary for the performance by BAM of your employment contract.

c) Which personal data do we process for this purpose?

For this purpose, we process your contact details (such as your address and email address).

d) How long do we retain your personal data for this purpose?

For this purpose, after the termination of your employment contract, your personal data will be retained (1) for as long as BAM is obliged by applicable law to retain your personal data and (2) if reasonably necessary to protect BAM's legal position. After this period, your personal data will be deleted from our systems.

4.4 To offer you suitable opportunities for your development

a) What does this purpose entail?

BAM uses the information stored in its HR database to offer you suitable opportunities for development. This way, we are able to offer you the right training, education, coaching or other forms of careers guidance or personal development to suit your needs. We also use your personal data for general career and talent development.

b) On what legal basis do we process personal data for this purpose?

The processing of your personal data is necessary for the performance by BAM of your employment contract, including general career and talent development.

c) Which personal data do we process for this purpose?

For this purpose, we process your contact details, recruitment information (such as employment history, education history details), job and position data, location and organizations, data generated during the performance of the employment contract, correspondence with BAM with regard to job applications (including references, absence and leave information).

d) How long do we retain your personal data for this purpose?

For this purpose, recruitment information is retained as long as necessary to complete any applications for internal positions you make in the course of your development. After that we will keep it in your personnel file and the retention periods applicable to your personnel file will apply.

4.5 For human resources, personnel management and payroll administration

a) What does this purpose entail?

We process your personal data for human resources and personnel management and to manage your personnel file. This includes processing your personal data for your performance reviews, outplacements, leave and other absences, pension details, travel and expenses and our communications with you. BAM may also have to process your personal data following laws and regulations. This is, for example, the case for identification, fraud prevention, internal controls and company security. If you are an expat, we will also process your personal details for any tax related issues.

Further, we process your personal data for payroll administration. BAM does not only maintain an administration of your salary payments, but also of your hours and overtime, bonuses and other compensation or benefits.

As an employee, you will have access to your HR portal. Here, you can access your personal data, worked hours, payslips, invoice or salary payment details, annual benefits statement etc.

b) On what legal basis do we process personal data for this purpose?

The processing of your personal data is necessary for the performance by BAM of your employment contract.

c) Which personal data do we process for this purpose?

For this purpose, we process your contact details, date of birth, gender, civil status, nationality, photographs, videos, citizen service number, ID card or passport details, declaration of employment status, chamber of commerce and VAT details, recruitment information (such as employment history, education history details), job and position data, work permit details, availability, terms of employment, tax details, payment details, hours worked, insurance details, BAM location and business unit, beneficiaries and dependants, account/profile data (corporate ICT-systems), data generated during the performance of the employment contract and correspondence with BAM with regard to job applications, including references, absence and leave information.

d) How long do we retain your personal data for this purpose?

For this purpose, your personal data will be retained

(1) for as long as BAM is obliged to retain your personal data by applicable law and

(2) if reasonably necessary to protect BAM's legal position. After this period, your personal data will be deleted from our systems.

4.6 For construction site registration

a) What does this purpose entail?

We register your personal data, because BAM is obliged to have an overview of the employees that work or have worked on the construction sites of our projects to comply with legal obligations such as tax laws and regulations and for safety reasons.

b) On what legal basis do we process personal data for this purpose?

The legal basis for processing your personal data is to comply with laws and regulations.

c) Which personal data do we process for this purpose?

For this purpose, we process, where relevant and legally required, your contact details (such as address and email), date of birth, citizen service number, nationality, ID card or passport details (including document number and period of validity), name and contact details of employer, visiting history to BAM and other data required to comply with legal obligations.

d) How long do we retain your personal data for this purpose?

For this purpose, your personal data will be retained for as long
(1) as BAM is legally obliged to retain your data for and
(2) if reasonably necessary to protect BAM's legal position. After this period, your personal data will be deleted from our systems.

4.7 To protect your vital interests

a) What does this purpose entail?

When it is necessary to process your personal data to protect your vital interests, we will do so. This could, for example, be the case when you have a medical condition that your colleagues or superiors need to be aware of. When you indicate that this is the case, you will need to provide relevant medical information to the company doctor so he/she can, in consultation with you, inform and advise BAM how to take into account your medical restriction when defining your working activities.

b) On what legal basis do we process personal data for this purpose?

The legal basis for processing your personal data is that this processing is necessary to protect your vital interests.

c) Which personal data do we process for this purpose?

For this purpose, we process your contact details, relevant personnel file details, insurance details, location and business unit and the relevant data related to your employability in relation to potential medical constraints in consultation with your company doctor are provided.

d) How long do we retain your personal data for this purpose?

For this purpose is your personal data stored (i) as long as BAM by applicable law is obliged to and (i) if reasonably necessary to protect BAM's legal position. After this period, your personal data will be deleted from our systems.

4.8 To allow you to perform your tasks in the regular course of business

a) What does this purpose entail?

When you work at BAM, you use our systems and networks in the regular course of business. You will send emails, search the web and make phone calls. When you do so, we process your personal data included in such documents or in the meta data attached to such documents. For example, when you send an email, we process your contact details, your profile information (e.g. your photograph), the contents of your message, any attachments you add to your message etc.

b) On what legal basis do we process personal data for this purpose?

The processing of your personal data is based on the legitimate interest of BAM to process personal data necessary in the regular course of business of BAM.

c) Which personal data do we process for this purpose?

For this purpose, we process your contact details, job and position data, account/profile data (corporate ICT-systems), content and traffic data (such as your internet communications, sent and received email messages, printed documents, storage devices) and data on back-ups.

d) How long do we retain your personal data for this purpose?

For this purpose, your personal data will be retained for as long as this is necessary for BAM to comply with many different contractual and legal statutory retention and limitation periods that apply to our business processes. After this period, your personal data will be deleted from our systems.

4.9 For the execution of business processes and internal management

a) What does this entail?

When you work at BAM, we will process your personal data in the performance and organisation of our business. This includes general management, scheduling work, recording worked time, electing members of the BAM participation body, the administration of the staff association, the archiving of projects and managing BAM and employee assets.

BAM processes your personal data for its internal management. For example, we provide central processing facilities in order to work more efficiently. We conduct audits and investigations, implement business controls and manage and use employee directories. Also, we process your personal data for archiving and insurance purposes, legal and business consulting and in the context of dispute resolution.

b) On what legal basis do we process personal data for this purpose?

The processing of your personal data is based on the legitimate interest of BAM to process personal data for in the performance and organisation of our business.

c) Which personal data do we process for this purpose?

For this purpose, we process your contact details, date of birth, gender, job and position, availability, hours worked, insurance details, BAM location and business unit, beneficiaries and dependants and data generated during the performance of the employment contract.

d) How long do we retain your personal data for this purpose?

For this purpose, your personal data will be retained for as long as this is necessary for BAM to comply with many different contractual and legal statutory retention and limitation periods that apply to our business processes. After this period, your personal data will be deleted from our systems.

4.10 For organizational analysis and development, management reporting and acquisition and divestitures

a) What does this purpose entail?

At BAM, we process your personal data to be able to prepare and perform management reporting and analysis. For example, we conduct employee surveys to learn more about your views and opinions in preparation of our management reporting. We also process your personal data in the context of mergers, acquisitions and divestitures and in order to manage such transactions.

b) On what legal basis do we process personal data for this purpose?

The processing of your personal data is based on the legitimate interest of BAM to process personal data to be able to prepare and perform management reporting and analysis.

c) Which personal data do we process for this purpose?

For this, we process your contact details, date of birth, gender, job and position, terms of employment, insurance details, location and organizations, beneficiaries and dependants and relevant data generated during the performance of the employment contract.

d) How long do we retain your personal data for this purpose?

For this purpose, your personal data will be retained for as long as this is necessary for BAM to comply with many different contractual and legal statutory retention and limitation periods that apply to our business processes. After this period, your personal data will be deleted from our systems.

4.11 To protect health, safety and security and to ensure integrity

a) What does this purpose entail?

At BAM, we highly value health, safety, security and integrity. In order to safeguard our employees and customers, we process your personal data. We screen and monitor our employees both before and while they are employed at BAM and authenticate your employee status and access rights. We also process your personal data to ensure occupational health and safety and to protect BAM and employee and customer assets.

b) On what legal basis do we process personal data for this purpose?

The legal basis for processing your personal data for this purpose is that this processing is necessary to protect your vital interests.

c) Which personal data do we process for this purpose?

For this purpose, we process your contact details, job and position, location and organizations and account/profile data (corporate ICT-systems).

d) How long do we retain your personal data for this purpose?

For this purpose, your personal data will be retained for as long as BAM is legally obliged to retain your data for applicable compliance, tax, health and safety regulations or if reasonably necessary to protect BAM's legal position. After this period, your personal data will be deleted from our systems.

4.12 To monitor and investigate compliance within BAM

a) What does the purpose entail?

BAM monitors employee accounts to check compliance with BAM's policies and regulations, such as the Code of Conduct. BAM can also monitor your use of its networks, systems and information to observe compliance with its policies. We can do so irrespective of whether you use BAM IT devices or your own devices to access or use BAM's information, network or systems.

If an employee is suspected of behaviour or actions that are not compliant with BAM's policies and regulations, BAM can instigate an internal investigation and generate and process additional personal data. We can, for example, instigate such an investigation in the case of a prohibited transfer of any of BAM's commercial information, confidential information, intellectual property or knowhow, fraud or if we suspect an employee to be the origin of any virus, spam or intrusion in our systems or network.

b) On what legal basis do we process personal data for this purpose?

The processing of your personal data is based on the legitimate interest of BAM to process personal data to assure compliance with BAM's Code of Conduct, policies and procedures.

c) Which personal data do we process for this purpose?

For this purpose, we process account/profile data (corporate ICT-systems), such as the time and date of your logins, the type of information and files shared, the search queries that are made and the type of device you use, applications installed, the mobile number of your device, IP addresses, MAC addresses, documents accessed and duration of access, mobile network information, your mobile operating system and which mobile browser you use, your time zone settings and device details.

If a BAM employee is suspected of behaviour or actions that are not compliant with BAM's policies and regulations we will use more specific content and traffic data for internal investigations. We use this personal data to make legal decisions and to conduct legal proceedings. Such data includes: your internet communications (including social media), sent and received email messages, printed documents, storage devices (USB sticks, portable hard drives) and data on back-ups.

d) How long do we retain your personal data for this purpose?

For the purpose of monitoring compliance your personal data will be retained for as long as this is necessary for BAM to comply with many different contractual and legal statutory retention and limitation periods that apply to our business processes. For the purpose of investigations we retain your personal data for the duration of the investigation, except if we would have reasons to believe that you have violated rules that we uphold. We will then retain the relevant personal data until the investigation or proceedings have been concluded.

4.13 To comply with the law

a) What does this purpose entail?

In some cases, BAM processes your personal data to comply with laws and regulations. This could be the case for human resources related obligations or construction site registration, as indicated in paragraph 4.5. and 4.6. We may, for example, also need to process your personal data in light of subsidies or tax regulations. Following laws and regulations, we may need to disclose your personal data to government institutions or supervisory authorities.

b) On what legal basis do we process personal data for this purpose?

The legal basis for this processing is that it is necessary for compliance with a legal obligation of BAM.

c) Which personal data do we process for this purpose?

For this purpose, we process your contact details, date of birth, gender, civil status, nationality, citizen service number, ID card or passport details, declaration of employment status, chamber of commerce and VAT details, job and position, work permit details, terms of employment, tax details, payment details and BAM location and business unit.

d) How long do we retain your personal data for this purpose?

For this purpose, your personal data will be retained
(1) for as long as BAM is legally obliged to retain your personal data pursuant to applicable statutory retention periods and
(2) if reasonably necessary to protect BAM's legal position. After this period, your personal data will be deleted from our systems.

4.14 To answer your questions

a) What does this purpose entail?

If you get in touch with us at privacy@bam.com or via the contact form on the BAM support page, we will use your personal data in order to reply and answer your question.

b) On what legal basis do we process personal data for this purpose?

The legal basis is that you consent to the use of personal data you provide to us when getting in touch with us.

c) Which personal data do we process for this purpose?

For this purpose, we process your name, contact details, your correspondence with BAM with regard to your question and all other personal data which are necessary to answer your question.

d) How long do we retain your personal data for this purpose?

If you contacted us via the contact form on BAM's support page or via privacy@bam.com, then we will retain your data as long as it is necessary to answer and follow-up to your question. In certain circumstances we will keep your data to track and evaluate our answers.

5. Who has access to your personal data?

5.1 Access to your personal data within BAM

All BAM employees have access to their BAM profile and the data they have made publicly available there. When you send data to other recipients, e.g. when you send a customer an email, this recipient will also receive personal data included in such data as a result. These data will be available on a need to know basis within BAM.

Non-public data can be accessed by relevant BAM departments such as IT, HR, Legal and Compliance Officer, but only to the extent necessary to fulfil their respective tasks. In this processing, your personal data may be transferred to a country that does not provide an adequate level of protection of personal data. BAM will take measures to ensure that your personal data are adequately protected.

5.2 Access to your personal data by third parties

The following third parties have access to your personal data where relevant for the provisioning of their products or services to BAM:

- Banks
- Insurance companies
- Pension funds
- Headhunters
- Travel agencies (business travel)
- IT suppliers
- Financial, tax or legal advisors
- Accountants
- Forensic specialists

If your personal data are transferred to a recipient in a country that does not provide an adequate level of protection of personal data, will BAM take measures to ensure that your personal data are adequately protected, such as entering into EU Standard Contractual Clauses with these third parties.

In other cases, your personal data will not be supplied to third parties, except when required by law.

5.3 The use of your personal data by data processors

When a third party processes your personal data solely following BAM's instructions, it acts as a data processor. We enter into an agreement with such a data processor concerning the processing of personal data to safeguard that your personal data are solely provided to the data processor to provide services to us.

6. How are your personal data secured?

In order to ensure the confidentiality and security of your personal data, BAM has implemented appropriate technical, physical and organisational security measures to protect personal data against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorised disclosure or access, and against all other forms of unlawful processing (including, but not limited to unnecessary collection) or further processing.

7. Questions or requests for access, correction and removal?

You can request access, correction, restriction, portability or removal of the data that BAM processes about you at any time by sending a request to: privacy@bam.com.

If you added information to your BAM HR profile yourself, then you can also access, correct or remove this information.

Should you have any questions regarding the processing of your personal data, please contact your Privacy Officer or via privacy@bam.com.

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