

Privacy statement

AB Vakwerk and Herenbos

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Privacy statement AB Vakwerk and Herenbos

AB Vakwerk and Herenbos (hereinafter: “AB Vakwerk” as well as “we” and “us”) has various clients to whom they provide the services of their employees. AB Vakwerk also performs services in the area of recruitment and selection.

For our services, it is indispensable that we process your personal data. We greatly value your privacy and accordingly comply with the regulations under privacy legislation. AB Vakwerk realizes that it is important for you to know how your personal data is used and shared. With this privacy statement, we would like to make it perfectly clear for you what we do with the personal data you submit to us. In this privacy statement you will find an answer to the question as to what personal data we save in our records, who they are given to (and when), how long AB Vakwerk keeps your personal data and what your rights are with regard to the processing of personal data by AB Vakwerk.

The provisions in this privacy statement apply to our prospective employees who have signed up as job seekers with AB Vakwerk and employees, trainees and other persons employed at AB Vakwerk (including self-employed individuals) who are/will be employed at clients via AB Vakwerk.

The provisions in this privacy statement apply to:

1. Prospective employees who have registered with AB Vakwerk as job-seekers or within the framework of a recruitment and selection procedure, and employees, trainees and other individuals employed at AB Vakwerk (including self-employed persons) who are assigned to clients via AB Vakwerk;
2. (in-house) AB Vakwerk employees who are not assigned to clients;
3. all visitors to our website;
4. Employers or representatives of (potential) business relations (including AB Vakwerk suppliers and clients).

Article 2 of this privacy statement lists which articles of this privacy statement apply specifically to you.

Article 1 Definitions

For the purposes of these regulations, the following definitions shall apply:

- a) AB Vakwerk: Coöperatie AB Vakwerk Groep U.A., with registered office and principal place of business in Sneek (8601 WT) at 19 Zeilmakersstraat, listed in the Commercial Register of the Chamber of Commerce under number 37157753 along with all their affiliated companies and enterprises, including:
AB Vakwerk Uitzendorganisatie B.V.
AB Vakwerk Agri B.V.
AB Vakwerk Groep B.V.
AB Online
AB Vakschool
- b) Employment contract: the contract between you and AB Vakwerk, on the basis of a contract for professional services concluded by a third party and AB Vakwerk, you are provided to this third party to perform work under the supervision and management of said third party;
- c) Processor: a natural person or legal entity, a government agency, department or other body who/that processes data on behalf of AB Vakwerk;
- d) Third party: everyone other than: you, AB Vakwerk, a processor or any person who is authorised under the direct authority of the manager or processor to process personal data;

- e) You and your: that's you, the (prospective) employee, trainee or person otherwise employed at AB Vakwerk (including self-employed individuals) who are/will be employed at clients of AB Vakwerk; those whose personal data is processed by AB Vakwerk.
- f) Personal data: all data that relates to you and can also be traced back to you;
- g) Consent: every freely given, specific and informed indication of your wishes as data subject with which you accept that your personal data is processed;
- h) Person responsible: AB Vakwerk;
- i) Provision of personal data: disclosure or provision of personal data;
- j) Processing of personal data: every act or every group of acts relating to personal data, including in any case the collection, recording, organization, storage, adaptation, alteration, retrieval, consultation, use, disclosure by supply, dissemination or otherwise making available, alignment, combination, blocking, erasure or destruction of data.

Article 2 Scope of the regulations

1. These regulations apply to all processing of your personal data by AB Vakwerk.
2. The following articles apply to the following respective groups:
 - prospective employees who have registered as job-seekers with AB Vakwerk and employees, trainees and other individuals employed at AB Vakwerk (including self-employed persons) who are/will be assigned to clients via AB Vakwerk: all articles, with the exception of Article 12;
 - persons who are candidates/applicants in a recruitment & selection procedure that AB Vakwerk conducts for a client, with the exception of articles 5, 6 and 10;
 - (in-house) AB Vakwerk employees who are not assigned to clients: all articles, with the exception of Article 4 paragraphs 8 to 10, Article 5 paragraphs 3 and 4, Article 6 paragraph 4 and Article 10;
 - all visitors to our website: Article 9;
 - employers or representatives of (potential) business relations (including AB Vakwerk suppliers and clients): Articles 1, 2 and 8 to 13.

Article 3 Purposes of processing personal data

1. The personal data are only processed by AB Vakwerk for the following purposes:
 - The assessment of your suitability and availability for job placement, this also includes the job placement within the framework of a recruitment and selection procedure;
 - Your placement on a job;
 - Entering into an employment relationship and the relevant record keeping;
 - Maintaining the employment relationship and keeping the personnel files and payroll records;
 - Execution of an employment contract between you and AB Vakwerk;
 - Concluding and executing the contract between AB Vakwerk and our clients;
 - Informing you about our services;
 - Quality and management objectives, such as internal audits, audits, accounting audits and certifications;
 - Furthering your personal development, for example through trainings and tests;
 - Fulfilling our rehabilitation obligations;
 - Applying for subsidies, contribution reductions (and assessment as to whether or not you are eligible).

- Granting access to our closed web environment (if applicable);
 - Fulfilling our statutory obligations that AB Vakwerk is subject to;
 - Compliance with a court order or judgement.
2. The personal data is only processed if one of the following conditions (basic conditions) is met:
- You have given permission (we exercise great restraint with this and consequently, this occurs very rarely);
 - It is necessary for the execution of a contract that involves you;
 - It is necessary for fulfilling with a statutory obligation that AB Vakwerk is subject to;
 - It is necessary for protecting your or another natural person's vital interests (this occurs very rarely);
 - It is necessary for the performance of a public interest task or a task within a public authority context that has been entrusted to AB Vakwerk (this basis does not exist);
 - It is necessary for looking after the legitimate interests of AB Vakwerk or a third party, except when your fundamental rights and fundamental freedoms outweigh the interests of AB Vakwerk and/or the third party.

Article 4 Registering with AB Vakwerk and job placement

1. You can sign up with AB Vakwerk in two ways: (1) by completing a registration form on the AB Vakwerk website or (2) at one of the agency offices of AB Vakwerk. When you register, we process the following personal data about you within the framework of the intermediation agreement or within the framework of a recruitment & selection procedure:
- Name and full address;
 - Telephone number;
 - E-mail address;
 - Gender;
 - Date of birth;
 - What education or training/job experience/certificate(s) you have ;
 - If you have a driving license (if and insofar as necessary for the job);
 - Language skills;
 - A copy of proof of identity (and therefore also the data on it, such as BSN (Citizen Service Number), passport photo and nationality). Does not apply to the self-employed persons and the recruitment and selection procedure;
 - A copy of residence permit or work permit (if applicable). Does not apply to the recruitment & selection procedure.
2. You can choose to send us your curriculum vitae (hereinafter: "cv") with your registration. You are not obliged to. In order to be able to find the best possible job for you, we do advise you to send us your cv. You can provide the following information in your cv:
- Name (initials, given names, surname, nickname);
 - Address;
 - Postcode;
 - City/town;
 - Date of birth;

- Telephone number;
 - E-mail address;
 - Desired professions/positions;
 - Job experience;
 - Educational background;
 - Courses;
 - Skills.
3. For your job placement, AB Vakwerk does not need any personal data other than that mentioned under paragraphs 1 and 2. We therefore strongly advise you not to include in your cv any data other than the aforementioned data. If you have include a photograph on your cv then you provide permission to AB Vakwerk to process there personal date by uploading your cv on your photograph.
4. In any case, AB Vakwerk does not need the following personal data in order to place you in a job. Consequently, AB Vakwerk advises you not to include this data in your cv:
- Citizen Service Number (BSN);
 - Religion or philosophical beliefs;
 - Racial or ethnic origin;
 - (Pass)photo;
 - Nationality;
 - Political affinity;
 - Physical or mental health;
 - Sexual behaviour or sexual orientation;
 - Membership in a professional association, trade union or political party;
 - Crime-related data.
- If AB Vakwerk makes a copy of your identity document at the time you register, we advise you to avoid mentioning the following information (which are on an identity document) on your cv:
- Nationality;
 - Your Citizen service number (Burgerservicenummer – BSN).
5. If for a specific job, requirements are made with regard to medical fitness, in certain circumstances, AB can find out about your medical suitability for the job via a medical examination. The company doctor will only give the result of the examination to AB Vakwerk (and thus processed by AB Vakwerk), after you've given your consent to do so.
6. If a VOG (Certificate of Good Conduct) is necessary for the (desired) job, AB Vakwerk is allowed to include in their records that a VOG was issued. This does not apply to the recruitment & selection procedure. If a VOG is not issued, then AB Vakwerk will not include anything about that in their records.
7. You do not have to provide any information about your health to AB Vakwerk if that is not directly relevant for the performance of the job you are applying for. However you are obliged to report health problems you know about or must be aware that they would make you unsuitable for the job.

Providing personal data to client

8. If compatible with the purpose for which you provided your personal data to AB Vakwerk, AB Vakwerk is permitted to give your personal data to potential clients. AB Vakwerk shall take your interests into account and not provide more data than is necessary for the purposes for which you provided your personal data to AB Vakwerk (see Article 3).
9. For the job placement, it is necessary that AB Vakwerk sends your personal data to potential clients in order to enable said clients (third parties) to judge whether you are suitable for the job they have available. Without your express consent, AB Vakwerk will not provide any of your personal data to potential clients other than the following:
 - Name;
 - City/town;
 - Date of birth;
 - Education/training courses;
 - Job experience (if and insofar as relevant for the position);
 - Courses (if and insofar as relevant for the position);
 - Practical training (if and insofar as relevant for the position);
 - Other data if relevant to your work experience (if and insofar as relevant for the position).
10. In a limited number of cases (if and insofar as relevant for the position) AB Vakwerk can also provide the following information to potential clients:
 - If you have a driving license;
 - That a VOG (Certificate of Good Conduct) was issued to you. If no VOG was issued, then we won't mention this to the potential client;
 - That from your own declaration on conduct, it is shown that you do not have a criminal past. If on your own declaration on conduct, you fill in information that shows a criminal past, we will not mention that to the potential client;
 - If a medical examination is required: whether (on the basis of the medical examination) you are suitable for the job;

Article 5 Formation of the employment contract and start of the assignment

1. When AB Vakwerk concludes an employment contract with you, in addition to the personal data referred to in Article 4, section 1 up to and including section 7, AB Vakwerk will enter the following personal data in their records:
 - A copy of proof of identity (and thus the data on it, such as BSN, passport photo and nationality);
 - A copy of residence permit or work permit (if applicable);
 - Bank account number;
 - If relevant: A1- certificate of coverage including number and period of validity.

If AB Vakwerk has never had or no longer has a copy of your identity document, then AB Vakwerk will make and store in our administrative records a copy (or a new copy) of it at the

moment we enter into an employment contract with you. This also means that we process the information on your identity document, such as your BSN, passport photo and nationality. The aforementioned also applies to a possible residence permit or work permit (if applicable).

2. In derogation of the provisions under paragraph 1 of this article, for self-employed individuals, it applies that in addition to the information referred to in Article 4, paragraph 1 AB Vakwerk may include in their records the following information:
 - Bank account number;
 - Chamber of Commerce registration number;
 - Extract from the Chamber of Commerce Commercial Register;
 - Type, number and duration of identification document;
 - Copy of third-party insurance (relating to liability of the company, not in a private capacity);
 - If available: copy of the invalidity insurance;
 - Copy of bank card (in connection with reverse billing);
 - VAT number;
 - If self-employed person originates from a non-EEA country: copy of identity card (and therefore also the information on it such as BSN, nationality and place of birth);
 - Copy of residence permit or work permit (if applicable).

Providing personal data to client

3. When you start working for a client of AB Vakwerk, in addition to the data AB Vakwerk already provided/was permitted to provide, as listed in Article 4 paragraphs 9 and 10), AB Vakwerk can provide the client with following information from you:
 - Gender;
 - The type of identity card, its number and period of validity;
 - Citizen Service Number (BSN) – will be single used within the context of the Chain and Recipient Liability;
 - If relevant: A1- certificate of coverage including number and period of validity.

In addition to this information, at the request of the client, AB Vakwerk may provide the following information in the context of chain and hiring liability:

- Address details;
 - Nationality;
 - Citizen service number (BSN);
 - Type of ID, number and period of validity.
4. If you are required to have a valid residence or work permit (and you are not a citizen of an EU member state, Liechtenstein, Norway, Iceland or Switzerland), AB Vakwerk is required by law to provide a copy of this (these) permit(s) and of your identity card to the client and AB Vakwerk shall do so.

Article 6 During the employment contract

1. During the term of the employment contract, AB Vakwerk is permitted to process specific personal data of yours in your personnel file. This includes complaints, warnings, personal work notes of the line manager, holiday entitlement and correspondence about performance.

2. AB Vakwerk is permitted (and sometimes obliged) to process certain personal data of yours for the payroll administration. This includes payslips, annual income statements and an income tax declaration.
3. In the event you report in sick, AB Vakwerk can process the following personal data:
 - The telephone number and (treatment) address;
 - The probable duration of your absence;
 - The current appointments and work;
 - Whether you come under one of the safety net provisions of the Sickness Benefits Act (but not under which one). If you have worked for at least two months at AB Vakwerk, you may also be asked if you fall under the no-risk policy (Article 29b or 29d Sickness Benefits Act);
 - Whether your illness is connected with a workplace accident (but not whether the absence is work-related);
 - Whether it concerns a (traffic) accident, whereby possibly third-party liability was involved (in connection with the possibility of recourse);

The company doctor/ occupational health and safety service may provide the following additional data about you to AB Vakwerk (and therefore AB Vakwerk may also process it):

- The work you are no longer or still able to do (functional limitations, remaining possibilities and implications for the type of work you can still do);
 - Further information on the extent to which and how your absence is work-related (only in cases in which the designation of functional limitations and necessary adjustments contains insufficient information for effective reintegration);
 - The extent to which you are incapable of work (based on functional limitations, remaining possibilities and implications for the type of work you can still do);
 - Any advice on adjustments, work facilities or interventions that AB Vakwerk must make for the reintegration;
 - The expected duration of the absence.
4. In principle, AB Vakwerk shall no longer provide any extra personal data to the clients once the employment becomes effective. The client then does still have all data that we provided at the formation of the employment contract and in the preliminary stage (Article 4, paragraphs 8, 9 and 10 and Article 5, paragraph 3 and 4). However situations can arise that make it necessary to provide specific personal data of yours for looking after the justified interest of AB Vakwerk or of the client. For example, this can be the case if in connection with your reintegration-specific reintegration activities, adjustments to the work place or work schedule/planning are expected of the client. In that case we will always weigh up the interests between AB Vakwerk and/or the client and your fundamental rights and freedoms. AB Vakwerk will always inform you of the provision of this data to the client.
 5. AB Vakwerk may pass on your personal data to others, if this is compatible with the purposes/basis referred to in Article 3, including to suppliers, auditing authorities, government agencies and to companies and/or persons who have contracted AB Vakwerk to perform certain tasks (including processors). AB Vakwerk will only proceed to do so if it is authorized to and there is sufficient necessity for it.

Article 7 Retention period

1. Your personal data is stored as long as it is necessary for the achievement of the purposes as referred to in Article 3 of this statement. After the (statutory) retention period, your personal data will be destroyed.
2. AB Vakwerk stores your personal data for maximum two years after registration. If we have made a copy of your ID during your registration, AB Vakwerk will keep that copy until there is no further need to do so. AB Vakwerk destroys such copies in any case no later than four weeks after we have entered the copy into AB Vakwerk's administration, unless you have actually taken up an employment contract with AB Vakwerk during that four-week period.
3. The moment you inform AB Vakwerk that you no longer want them to place you in a job, AB Vakwerk will then immediately delete all your personal data from their system.
4. If an employment contract (or other sort of relationship) was entered into between you and AB Vakwerk and it has terminated, AB Vakwerk will not store your data longer than two years, unless there is a statutory obligation to store personal data for a longer period.
5. A longer (statutory) obligation to retain records applies for AB Vakwerk (in any case) in the following circumstances:
 - a. Personal data relating to your health may be stored for longer than two years if there is a conflict in the workplace or dispute regarding the awarding of an incapacity benefit. The relative data is destroyed once the conflict/dispute has ended;
 - b. Applicable for all personal data in the payroll records is that AB Vakwerk retains it for 7 years. This period commences at the end of the financial year in which the records have 'current value' and so not per definition at the end of the employment contract;
 - c. The data listed below under i-iii will be retained by AB Vakwerk up to 5 years after the end of the calendar year in which the employment contract ended:
 - i. statutory payroll tax and social security contributions form that you filled out (or the document in which you stated that AB Vakwerk does or does not have to take the payroll tax deduction into account);
 - ii. Copy of identity card;
 - iii. Declarations/certificates and decisions that AB Vakwerk has received from you;
6. If a specific personal detail falls under several statutory regulations as regards the obligatory retention period, the retention period applied is the one that expires the last.
7. If during your employment -in the event of long-term illness- a reintegration file is established, which is also closed again during your employment, in principle AB Vakwerk retains this reintegration file no longer than two years (after completion of the reintegration). If a reintegration file contains permanent arrangements, such as permanent adaptations in the use of aids or in the job content, it is necessary that these arrangements are retained for a longer time. AB Vakwerk can include these arrangements in your personnel file.
8. Administrative data about your absence due to ill health (such as compulsory sick pay, date of reporting in sick, duration of the absence and date of recovery) are retained in principle two years at most after the employment relationship has ended. The data can be stored longer if there is a conflict in the workplace or dispute regarding the granting of incapacity for work insurance.

9. If AB Vakwerk is own risk bearer for the ZW (Sickness Benefits Act), the data that is relevant for own risk bearing is stored for maximum five years (in accordance with the applicable legislation and regulations).
10. If AB Vakwerk is own risk bearer for the WGA (Resumption of Work (Partially Fit Persons) Regulation) scheme, the relevant data is retained for the duration of the WGA procedure (so maximum ten years).
11. Your reintegration file or data on your absence due to ill health can be stored for a longer time by AB Vakwerk if that is required as a result of the collective insurance for the ZW or WGA. AB Vakwerk will always consider between its interest in retaining the data and your interest in the destruction of the data concerned.

Article 8 Protection of personal data

1. AB Vakwerk takes a number of protective measures to ensure the protection of your personal data processed by AB Vakwerk.
2. Files for the benefit of employees who are already assigned are stored digitally like in “hard copy”. This data is only accessible for the authorised personnel within AB Vakwerk. Digital files are only accessible via personal logins of authorised personnel.

Article 9 Cookies

1. When you visit the website of AB Vakwerk, AB Vakwerk places cookies. You can find more information about the types of cookies and what they are used for in the Cookie statement at the website of AB Vakwerk (<https://jobs.abvakwerk.nl/registration>).

Article 10 Business relations

1. We process the following personal data of employees or representatives of our (potential) business relations (hereinafter: relations):
 - (Business) Name and Address information;
 - Telephone number;
 - E-mail address;
 - Job;
 - User name and password (if applicable).
2. AB Vakwerk can pass on personal data of relations to others if this is of importance for the performance of its service(s), including (prospective) employees, suppliers, auditing authorities, government agencies, subcontractors and to companies and/or persons it has engaged to perform certain tasks (including processors) or to perform services in relation to the management and security of its systems.
AB Vakwerk may also pass on the personal data of relations to others, if AB Vakwerk is obliged to do so under current legislation and/or regulations, court order or judgment or after you have given permission to do so.

3. AB Vakwerk does not store the personal data of relations for any longer than necessary for the purposes for which this data was collected and therefore complies with the current legislation and/or regulations.
4. The personal data of relations is processed by AB Vakwerk only for the following purposes:
 - Maintain a business relationship;
 - Use of our services or those of the relation;
 - Establishment, maintenance and execution of the agreement between AB Vakwerk and the (company of the) relationship;
 - Provide information of make offers regarding our services and other activities;
 - Grant access to our closed web environment (if applicable);
 - Comply with statutory obligations that AB Vakwerk is subject to.
5. The personal data of relations will only be processed if one of the following conditions (basic conditions) is met:
 - You have given permission;
 - It is necessary for the execution of a contract in which you are involved;
 - It is necessary for compliance with a statutory obligation that AB Vakwerk is subject to;
 - It is necessary to protect your vital interest or those of another natural person (this basis is rare);
 - It is necessary for the performance of a task of general interest or of a task within the framework of the public authority entrusted to AB Vakwerk (this basis does not exist);
 - Planning (agricultural) services through the AB Vakwerk Agri app;
 - It is necessary for representing the legitimate interests of AB Vakwerk or a third party, except when your interests and fundamental rights and freedoms outweigh the interests of AB Vakwerk and/or the third party.

Article 11 Your rights

1. You have the right:
 - to obtain a definite answer from AB Vakwerk on the processing or not of your personal data. At the time that AB Vakwerk processes specific personal data of yours, you have the right to examine this personal data and you have the right to information on the processing purposes;
 - to request AB Vakwerk to rectify/correct your personal data;
 - to ask AB Vakwerk to delete your personal data without unreasonable delay when a situation occurs in which this right is granted to you under the applicable legislation and regulations. For some personal data however, it applies that AB Vakwerk is legally obliged to retain it (see Article 7.5). Applicable for this personal data is that AB Vakwerk cannot alter and/or delete it at your request;
 - to restrict the processing of your personal data by AB Vakwerk, when a situation occurs in which this right is granted to you under the applicable legislation and regulations;
 - to obtain your personal data, which you provided to AB Vakwerk, in a structured, standard and machine-readable form and you have the right to transfer this data, if the processing by AB Vakwerk is done in the manner for which this is granted in the applicable legislation and regulations on transferability of data;

- to object to the processing of your personal data due to your specific circumstances. This right only exists for the cases in which this is provided for in the applicable legislation and regulations;
 - To be informed immediately by AB Vakwerk, when a breach of personal data has occurred and which probably represents a significant risk to your rights and freedoms, unless AB Vakwerk is not obliged to do so under applicable legislation and regulations. By personal data breach is meant: a breach of security which accidentally or unlawfully results in the destruction, loss, alteration or unauthorized disclosure of or unauthorized access to data transmitted, stored or otherwise processed.
2. To exercise your above-mentioned rights, you can send an e-mail to compliance@abvakwerk.nl. Please note, however, that after we have altered or deleted your data at your request, it may still be possible that this data will be present in our backups for some time, until these backups are also deleted.

Article 12 Changes

1. This privacy statement can be amended from time to time, as a result of new legislation and regulations. The most current privacy statement can be found on the employees' portal and the AB Vakwerk website and can be sent to you at your request by post or by e-mail. AB Vakwerk advises you to read through this privacy statement on a regular basis, so you are informed of how AB Vakwerk deals with your personal data.

Article 13 Complaint and contact

1. If you have any questions or complaints with regard to the protection of your personal details by AB Vakwerk or the AB Vakwerk privacy policy, please get in touch with us. You can do so by e-mail via compliance@abvakwerk.nl or by ordinary post sent to Zeilmakersstraat 19, 8601 WT Sneek, for the attention of. AB Vakwerk Groep B.V. AB Vakwerk has in the person of madam mr. J.M.G. Aalten a data protection officer, you can contact her via compliance@abvakwerk.nl.
2. AB Vakwerk will deal with your questions or complaints and reply within four weeks at the latest.
3. If you are unsatisfied with the treatment of your complaint by AB Vakwerk, you can also submit a complaint to the Dutch Data Protection Authority. You can find more information about this on www.autoriteitpersoonsgegevens.nl.