

DATA PROTECTION INFORMATION FOR VIDEO CONFERENCING VIA ZOOM OR MICROSOFT TEAMS AT WASA AG

In accordance with the provisions of Articles 12 to 14 of the General Data Protection Regulation (GDPR), we are hereby providing you information regarding the processing of your personal data that is collected and processed as part of conducting / participating in video conferences and online meetings of WASA AG via ZOOM or Microsoft Teams and regarding your data protection rights in this connection.

1. RESPONSIBLE PARTIES IN TERMS OF GDPR ARTICLE 4 No. 7

WASA AG

Represented by the board members Misters Matthias Bechtold and Jannik Webel

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64293 Darmstadt

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Mail: info@wasa-technologies.com

Note: If you are logged on to the ZOOM webpage, then the provider Zoom Video Communications, Inc. shall be responsible for data processing. For Microsoft Teams is Microsoft Ireland Operations Limited, One Microsoft Place, South County Business Park, Leopardstown, Dublin 18, Irland responsible for data processing.

Logging on to the ZOOM or Microsoft Teams webpage for using it is only necessary if the software (App) is to be downloaded to be able to use ZOOM or Microsoft Teams. You can also use ZOOM or Microsoft Teams by directly entering the respective meeting ID and any other access information for the meeting in the ZOOM or Microsoft Teams App. If you do not want to use the ZOOM or Microsoft Teams App, the basic functions are also available on a browser version on the ZOOM or Microsoft Teams website.

Details on data processing by ZOOM can be found in the privacy policy of

<https://explore.zoom.us/de/privacy/>.

Details on data processing by Microsoft Teams can be found in the privacy policy of

<https://privacy.microsoft.com/de-de/privacystatement>.

2. CONTACT DETAILS OF OUR DATA PROTECTION OFFICERS

Data protection officer of WASA AG

Mr Kai Schwardt

in our company WASA AG

Europaplatz 4

64293 Darmstadt

Mail: datenschutz@wasa-technologies.com

3. PURPOSE OF DATA PROCESSING

We use ZOOM or Microsoft Teams to conduct teleconferences and online meetings (referred to as video conferences hereinafter).

ZOOM is a service provided by Zoom Video Communications, Inc., with headquarters in the USA.

Microsoft Teams is a service provided by Microsoft Ireland Operations Limited, with headquarters in Ireland.

4. CATEGORIES OF PERSONAL DATA

We process your personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the Federal Data Protection Act

(BDSG new version), as long as the data is required to conduct video conferences.

Depending on the type of data that you submit while participating in video conferences, the following data categories of your data are processed in the context of using ZOOM or Microsoft Teams.

If we are going to record online meetings, we will let you know about it in advance and ask for your consent. If a meeting or call is being recorded, you can see it in the respective App.

Please note that the chats in ZOOM or Microsoft Teams meetings may be recorded. Access to the chats and the associated logs is only granted to the persons participating in the meetings and if necessary, our Teams / ZOOM administration as part of the support.

If you are registered as a user with ZOOM or Microsoft Teams, then reports / statistics about video conferences (video conferencing metadata, data on telephone dial-up, questions and answers in webinars, survey function in webinars) can be saved for up to one month by ZOOM or Microsoft Teams. The option of a software-side "Attention tracking" has been deactivated.

In the case of webinars, we may also process the questions asked by webinar participants for the purposes of recording and following up webinars.

The following categories of personal data are subject to data processing by ZOOM:

- **User details:** First name, surname, email address, phone (optional), password (if "single sign-on" is not used), department (optional), profile picture (optional)
- **Meeting metadata:** Topic, description (optional), IP addresses of participants, device/hardware information
- Meeting-ID, topic, description (optional), moderator, IP addresses of participants (public and local IP addresses), location of participants, device/hardware information (platform, microphone, loudspeaker, camera), network type, data centre used, connection type, log-in time, log-out time
- **optional for recordings:** MP4-file of all video-, audio- and presentation recordings, M4A files of all audio recordings, text files of the online meeting chat.
- **in case of telephone dial-up:** Details about incoming and outgoing phone number, name of the country, start time and end time. If necessary, other connection details e.g. IP address of the device may be saved.
- **Text, audio, and video data:** If necessary, you have the option to use the chat questions or survey functions in an "Online meeting". In this respect, the text entered by you is processed to display it in the "Online meeting" and record it if necessary. To enable display of video and reproduction of audio, data is processed accordingly by the microphone of your end device and by the video camera of the end device (if it is on) during the meeting. You can switch-off or mute the camera or the microphone on your own at any time using ZOOM-applications.

The following categories of personal data are subject to data processing by Microsoft Teams:

- **User details:** display name, email address, phone (optional), profile picture (optional), preferred language
- **Meeting metadata:** date, time, meeting-ID, phone, place
- **Text, audio, and video data:** If necessary, you have the option to use the chat questions or survey functions in an "Online meeting". In this respect, the text entered by you is processed to display it in the "Online meeting" and record it if necessary. To enable display of video and reproduction of audio, data is processed accordingly by the microphone of your end device and by the video camera of the end device (if it is on) during the meeting. You can switch-off or mute the camera or the microphone on your own at any time using Microsoft Teams-applications.

To participate in an “Online meeting”, you have to, at the minimum, specify your name to be able to enter the “Meeting room”. Participating in a video conference without specifying this personal detail is not possible.

5. LEGAL BASIS FOR PROCESSING DATA

Your personal data is processed during video conferences of WASA AG via ZOOM or Microsoft Teams on the following legal bases:

- Article 6 para. 1 lit. b) GDPR – Fulfilment of contract
If video conferences are conducted as part of fulfilling a contract or as part of implementing pre-contract measures.
- Article 6 para. 1 lit. a) GDPR – Consent
If we want to record video conferences, we will ask for your consent beforehand.
- Article 6 para. 1 lit. f) GDPR – Safeguarding a legitimate interest
Our interest lies in holding video conferences with our business and communication partners. And so, this legal basis is always a basis for data processing if no other legal bases are applicable.
- Art. 6 Abs. 1 lit. B) DSGVO i.V.m. § 26 of the Federal Data Protection Act (BDSG new version) -Data processing for the purpose of an employment relationship
If video conferences are held in the context of establishing, maintaining, or terminating an employment relationship.

6. SOURCES OF DATA

We process the personal data that we receive from you as the participant of a video conference held by us. If necessary, we process data that is disclosed by you to the provider (when you register your ZOOM or Microsoft Teams account) which is essential for the provision of services of the named providers.

7. RECIPIENT OF THE DATA

In principle, we do not share the data processed in connection with participation in our “Online meetings” with third parties, unless it is intended to be shared. As the provider and operator of the platform, ZOOM or Microsoft Ireland Operations Limited receives details of the aforementioned data, as far as this is provided for in our commissioned data processing agreement with ZOOM or Microsoft Ireland Operations Limited.

Your personal data is processed by ZOOM or Microsoft Ireland Operations Limited as the data processor commissioned by us in the framework of a commissioned data processing agreement according to Art. 28 of GDPR. In this way we ensure that personal data is processed in accordance with the provisions of the GDPR.

If data is intended to be shared (e.g. contract awarded in the scope of a video conference, pre-contract measures, content of inquiries to other bodies, job interviews, staff appraisals etc.), then within our company we only share your personal data with those divisions and persons that actually need the data for fulfilling their functions.

If data is intended to be shared with WASA Compound GmbH & Co. KG (e.g. contract awarded in the scope of a video conference, pre-contract measures, content of inquiries to other bodies, etc.), then we share your personal data only with those divisions and persons of WASA Compound GmbH & Co. that need the data to fulfil their functions.

Please note that content from "online meetings" as well as face-to-face meetings is often used to communicate information with customers, interested parties or third parties and is therefore intended to be passed on.

Otherwise, data is shared with recipients outside the company only if legal provisions allow or require it.

8. TRANSFERRING DATA TO A THIRD COUNTRY

Personal data is processed in the third country USA due to the fact that the service / platform ZOOM is offered by a provider in the USA.

The provider of this service / this platform is Zoom Communications Inc., San Jose, 55 Almaden Boulevard, 6th Floor, San Jose, CA 95113. Details on data processing are given in the data privacy statement of ZOOM: <https://zoom.us/de-de/privacy.html> or <https://zoom.us/de-de/gdpr.html>.

We have a commissioned data processing agreement with the provider of ZOOM, which fulfils the requirements in terms of Art. 28 of the GDPR. An adequate level of data protection is ensured with the processing of personal data in accordance with the [Standard Contractual Clauses](#) of the European Commission. Furthermore, the provider of ZOOM is certified in accordance with the EU-U.S. Data Privacy Framework (DPF). As additional protective measures, we have also configured ZOOM in such a way that only data centres in the EU, the EEA or secure third countries such as Canada or Japan are used to conduct "online meetings".

Data processing when using Microsoft Teams outside the European Union (EU) does not generally take place, as we have limited our storage location to data centres in the European Union. However, we cannot rule out the possibility that data may be routed via internet servers located outside the EU. This may be the case in particular if participants in "Online Meetings" are located in a third country. However, the data is encrypted during transport via the Internet and thus protected against unauthorised access by third parties.

9. DURATION OF DATA STORAGE

Generally, we delete personal data when there is no need to continue storing it. If it is necessary, we process and store your personal data for fulfilling contractual purposes or for the purpose of an employment relationship. In these areas of processing (and in other areas if applicable), we are subject to various legal retention and documentation obligations. In case of legal retention and documentation obligations, deleting data is possible only after the respective retention obligation ends.

10. YOUR RIGHTS

Every data subject has the right to information according to Art. 15 GDPR, the right to correction according to Art. 16 GDPR, the right to demand deletion of data according to Art. 17 GDPR, the right to limit data processing according to Art. 18 GDPR, the right to notification according to Art. 19 GDPR and the right to data portability according to Art. 20 GDPR.

Furthermore, every data subject has the right to file a complaint with a data protection authority according to Art. 77 of the GDPR, if the data subject believes that its personal data is not processed legally. The right to file a complaint shall be available irrespective of any other administrative or legal redress.

You can reach the responsible data protection authority using the following contact details:

The Hessian Commissioner for Data Protection and Freedom of Information
PO Box 3163

65021 Wiesbaden
Phone: +49 611 1408 – 0
Fax: +49 611 1408 – 900
Mail: poststelle@datenschutz.hessen.de
<https://datenschutz.hessen.de>

If your data is processed on the basis of your consent, then according to Art. 7 of the GDPR you have the right to revoke your consent given by you for using your personal data at any time. Please note that such a revocation of consent shall only be effective for data to be processed in the future. Data processed before the revocation of consent shall remain unaffected. Please note that we have to store some types of data for fulfilling legal requirements, if necessary, for a specific period of time (see clause 9 of this data protection information).

Right of objection

If your personal data is processed according to Art. 6 para 1 lit. f of the GDPR for protecting legitimate interests, then according to Art. 21 of the GDPR you have the right to file an objection at any time against the processing of such data due to reasons which result from your special situation. In that case, we will not process such personal data any longer, unless we provide compelling and legitimate grounds for processing the data. These compelling and legitimate grounds must outweigh your interests, rights, and freedoms, or processing such data must be useful for asserting, exercising, or defending legal claims.

11. AUTOMATED DECISION MAKING

Automated decisions are not made in individual cases in terms of Art. 22 GDPR.

12. MISCELLANEOUS

You also have the right to contact our data protection officers any time if you have questions. They are obligated to maintain confidentiality regarding your questions. Contact details are given on page 1 point 2.

Darmstadt, 02/03/2024
WASA AG