

Agreement on Data Protection in the Porr Group at European level

Preamble

The Porr Group at European level has networked its business segments and associated contacts, both internal and external. This basically means that the advantage of being organised as a Group rather than as individual companies is very largely determined by a smooth exchange of data within the companies belonging to the Group.

This also includes personal data, which are important to the Group in terms of human resources development and assignment, but also as a basis for knowledge management within the Group. Processing and transmission take place in strict compliance with both national and international regulations.

1. Scope

This Agreement applies to all workers who are employed by a company belonging to the Group in the European Economic Area or are seconded to another Group company as a result of transnational deployment.

2. Period of validity

This Agreement applies in principle for an indefinite period, although it may be replaced or supplemented by a subsequent Agreement.

3. Aim and objectives

3.1. The aim of this Agreement is to govern the handling of information in the meaning of section 3.5, inasmuch as this is not dictated by legal or other requirements.

3.2. The objective of this Agreement is to govern the recording, exploitation and transmission of data, in order above all to do the following:

- bring about a simplification of records and statistics;
- ensure an efficient deployment and development of human resources;
- facilitate central human resources work in decentralised parts of the Group.

3.3. It is not the objective of this Agreement to:

- exert direct or indirect pressure on employees;
- ascertain facts intended to serve exclusively as evidence in industrial proceedings;
- make improper or speculative use of such facts.

- 3.4 The companies belonging to the Group are entitled to transmit or forward employee data, within the meaning of the relevant legal provisions, to the human resources department or to the appropriate payroll accounts department. The provisions of the Austrian Labour Constitution Act shall apply in this regard.
- 3.5 The transmission of personal data, subject to section 3.3, to authorities in a broader sense – courts, welfare and holiday funds, interest representation bodies, banks, trade unions, insurance companies etc. – will be undertaken by the human resources department or the payroll accounts departments.
- 3.6 Data may be forwarded by works council organisations, provided that this is necessary for the purpose of upholding employees' rights or furthering their interests, or else serves the right of the works council organisations to information and consultation.

4. Data and data sets

The following data and data sets are covered:

- key personal data in the meaning of Annex 1;
- job-related data used for payroll accounting, such as cost centres, data forwarded from the job centre, payments to third parties, hours worked, time off, leave, sickness etc.

5. The rights of workforce representatives

- 5.1 The interests of the works council shall be safeguarded by the chairperson or his/her deputy.
- 5.2 The works council is entitled to be informed of, or to view, all the employee data of the relevant group of employees, including via a computer terminal or other data medium.
- 5.3 Once a year, the chairman of the European Works Council shall be sent a list of those persons who have access to the data covered by this Agreement.
- 5.4 The works council organisations and the European Works Council have the right of access to the *[data of the]* group of employees for whom they are responsible, so as to facilitate in particular access to employee accounting data.
- 5.5 The works councillors concerned shall receive the necessary training during working hours.

6. The rights of employees

- 6.1 Every employee has the right to be informed of the data stored about him/her.

6.2 Every employee has the right to rectify incorrect data pertaining to him/her. The correction shall be made by the human resources department.

7. Data protection legislation

The relevant national and international data protection regulations shall apply irrespective of the present Agreement.

Vienna,

**Allgemeine Baugesellschaft – A. Porr
Aktiengesellschaft**

European Works Council