

JUWI data protection information with regard to the provision and use of Microsoft Office 365 E3 "Teams"

1. Designation of the processing activity

This data protection information is provided in connection with the processing of personal data in connection with the use of Microsoft Office 365 E3 Teams (hereinafter "Microsoft Teams").

2. Name and contact details of the person responsible

JUWI GmbH and all companies of the JUWI Group based in the EU

Energie-Allee 1, 55286 Wörrstadt, Germany

E-mail: info@juwi.de

Phone: +49 6732 96 57 0, Fax: +49 6732 96 57 7001

Note:

Microsoft Teams is software from Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA ("Microsoft"), which is available as a desktop, web and mobile app. The representative within the meaning of Art. 27 GDPR within the European Union is Microsoft Ireland Operation Limited, One Microsoft Place, South County Business Park, Leopardstown Dublin 18, Ireland. With regard to data processing by Microsoft itself, please refer to <https://docs.microsoft.com/de-de/microsoftteams/teams-privacy>.

If you access the Microsoft Teams website, the provider of Microsoft Teams is responsible for data processing. However, accessing the website is only necessary for the use of Microsoft Teams in order to download the software for the use of Microsoft Teams. If you do not want to or cannot use the Microsoft Teams app, you can also use Microsoft Teams via your browser. The service is then also provided via the Microsoft Teams website.

When accessing the Microsoft Teams website, it cannot be ruled out that personal data processed within the Microsoft Teams application will be transferred to third countries, i.e. the USA, and thus also come to the attention of US authorities. The transfer of personal data from the EU to a third country is only permitted under certain conditions. This is the case if the level of protection for the data transfer to a third country is equivalent to that of the EU. If the third country offers an adequate level of protection, the EU Commission adopts an adequacy decision. There is an adequacy decision for data transfers to the USA. In addition, however, data transfer to the USA is only permitted if the data recipient is also certified in accordance with the EU-US Data Privacy Framework (DPF). Microsoft Corporation is DPF-certified. The use of the Microsoft Teams tool is therefore permitted.

3. Contact details of the data protection officer for JUWI GmbH

The contact details of the data protection officer datenschutzbeauftragter@datenschutzexperte.de. You can also contact us directly at datenschutz@juwi.de at any time.

4. Purpose of the processing

We use Microsoft Teams to conduct telephone conferences, online meetings, video conferences and/or webinars (hereinafter: "online meetings") between employees of the JUWI Group (these are all companies affiliated with JUWI GmbH in accordance with §§ 15 AktG) and employees of business partners, customers, service providers or other persons.

5. Scope of data processing

Various types of data are processed when using Microsoft Teams. The scope of data processing depends on the information you provide before or when participating in an online meeting using Microsoft Teams.

In particular, the following personal data may be subject to processing:

- **User details:** display name ("display name"), e-mail address if applicable, profile picture (optional), IP address, telephone number if applicable, preferred language, etc.
- **Conference metadata:** Date, time, meeting ID, start and end of participation, data on diagnostics and quality of service, email addresses for users with their own Teams account, number of chat and channel messages, number of meetings attended, duration of time for audio, video and screen sharing, presence and absence status if applicable, telephone number and location.
- **Text, audio and video data:** Transmission of sound and image data and, if applicable, the environment (home, workplace or other location, people speaking or visible in the background), if applicable, utterances in the form of graphic or text messages or display of own screen for individual or all participants (note: only transmission takes place and no storage), camera and/or microphone can be switched off or muted at any time. Assignment of messages and display processes to participating persons who have expressed, presented or received them, for chat messages: time and written text.
- If we want to record online meetings, we will inform you transparently in advance and ask for your consent. If a recording is made, the following personal data, for example, will be processed: Speeches, camera images and contents of the presentation screen. **However, recordings of team meetings are not possible in the current configuration.**
- **Chat content:** Chat content from sessions organised by JUWI is available to JUWI employees participating in the session for an unlimited period of time. Administrators at JUWI do not have centralised access to the chat content. There is also no monitoring of chat usage or its content. For meetings not organised by JUWI employees, the regulations of the respective organisation apply. The content of chats between employees at JUWI is available to them for an unlimited period for the duration of the respective user subscription.
- The use of the Productivity Score function is excluded with JUWI by deactivation.
- Automated decision-making within the meaning of Art. 22 GDPR is not used.

6. Legal bases of data processing

Insofar as personal data is processed to establish, implement and terminate an employment relationship, Section 26 BDSG in conjunction with Art 88 GDPR is the legal basis for data processing. This includes, for example, the effective conduct of job interviews or company interviews between employees.

When organising online meetings, we regularly rely on a contractual basis within the meaning of Art. 6 para. 1 lit. b) GDPR, insofar as the meetings are held within the framework of contractual relationships. There may be legal obligations pursuant to Art. 6 para. 1 sentence 1 c) GDPR, e.g. to document participation in a meeting of a board or decision-making body.

If, in connection with the use of Microsoft Teams, personal data is nevertheless an elementary component of the use of Microsoft Teams, Art. 6 para. 1 lit. f) GDPR is the legal basis for data processing. In these cases, we are interested in the effective organisation of online meetings.

Unless a legitimate interest can be justified, we obtain prior consent in accordance with Art. 6 para. 1 sentence 1 a) in conjunction with Art. 7 GDPR for the processing of the personal data concerned for one or more specific purposes or only act on the basis of your effective consent. Processing operations that require consent are, for example

- Recording and storage of parts or the entire video conference, provided that your personal data is also recorded.
- Creation and storage of screenshots, unless a legitimate interest can be justified.
- The forwarding of presentation documents via Microsoft Teams.
- Passing on a list of participants via Microsoft Teams.

You have a right of cancellation for this purpose:

You have the right to withdraw your consent at any time with future effect. The consent remains effective until the time of your revocation. To assert your right of revocation, you can contact JUWI GmbH and datenschutz@juwi.de at any time.

7. Recipients or categories of recipients of the personal data

7.1 Within the JUWI Group

Within the JUWI Group, access to your personal data is granted to those departments or employees who need it to fulfil their contractual and legal obligations:

- Organiser of the video conference
- Employees responsible for organising the online meeting
- Employees during the meeting
- Employees from the IT department of JUWI GmbH

The employees of the JUWI Group are obliged to maintain data secrecy and to comply with data protection regulations.

7.2 Disclosure to third parties

We only pass on data to third parties if we have a legal basis for doing so (e.g. order processing contract, official order). Service providers are explicitly obliged to maintain confidentiality, even after the end of the contract.

Microsoft obtains knowledge of personal data as part of its order (see section 8 below).

In addition, other participants in the online meetings can gain knowledge of participating persons via the display name, camera and sound transmission and chat content.

8. Processing by Microsoft

Microsoft processes the personal data in Microsoft Teams to provide the agreed services as defined in the Microsoft Online Services Terms of Use and for the purposes determined by JUWI. The legal basis is then Art. 6 para. 1 sentence 1 b) GDPR and the order processing contract concluded with Microsoft.

Microsoft processes the following personal data as "legitimate business operations" for its own purposes as an independent data controller:

- Invoicing and account management
- Remuneration (e.g. calculation of employee commissions and partner incentives)
- Internal reporting and modelling (e.g. forecasts, revenue, capacity planning, product strategy)
- Combating fraud, cybercrime or cyberattacks that may affect Microsoft or Microsoft products

- Improving the core functionality of accessibility, data protection or energy efficiency
- Financial reporting and compliance with legal obligations.

With regard to data processing by Microsoft itself, we refer to <https://docs.microsoft.com/de-de/microsoftteams/teams-privacy>.

9. Transfer of personal data to a third country

9.1 Within the JUWI Group

Within the Group, data is only transferred to third countries if this is permitted or required by law. All existing data protection requirements are complied with.

9.2 Data transfer outside the JUWI Group and through Microsoft

Personal data is not transferred to a third country or outside the JUWI Group.

In principle, Microsoft does not process personal data from Europe outside the European Union (EU). Through possible configurations, JUWI was able to restrict the corresponding storage location to data centres in the European Union.

However, we cannot rule out the possibility that personal data may be processed on Microsoft servers located outside the EU. This may be the case in particular if data is routed via Internet servers located outside the EU or if participants in an online meeting 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.

However, when using Teams whose data is routed via Internet servers located outside the EU or participants in an online meeting who are located in a third country, it cannot be ruled out that US authorities (law enforcement agencies) may access personal data. Microsoft also points this out on its website under "Which third-party providers have access to personal data". Microsoft also processes data for its own purposes (see section 8 below).

In order to ensure an adequate level of protection for these international transfers, standard contractual clauses have been concluded with Microsoft in accordance with Art. 46 para. 2 c) GDPR (EU Commission Decision 2010/87/EU). In addition, there is an adequacy decision for data transfers to the USA. Microsoft Corporation Data Privacy Framework is also certified.

For JUWI, the provisions for online services (as of February 2021) and the addendum on data protection (as of 9 December 2020) apply. As soon as there are any changes, the current documents apply.

10. Duration of the storage of personal data

We generally delete personal data when there is no need for further storage. A requirement may exist in particular if the data is still needed to fulfil contractual services, to check and grant or defend against warranty and guarantee claims. In the case of statutory retention obligations, deletion will only be considered after expiry of the respective retention obligation.

JUWI and/or Microsoft Teams do not store the video and audio data processed during an online meeting. The general metadata collected through participation is stored by Microsoft for 90 days. The user-specific metadata collected through participation is stored by Microsoft for 30 days.

Account data will be deleted at the end of the respective subscription.

The content of chats between employees at JUWI is stored for the duration of the respective user subscription and deleted at the end of the respective subscription.

11. Rights of data subjects

With regard to your rights as a data subject (information, rectification, erasure, restriction of processing, data portability and right to object), we refer you to our General Data Protection Information - [JUWI](#), where you will find specific explanations.

To exercise your rights, please contact datenschutz@juwi.de. In the event of complaints under data protection law, you can contact a supervisory authority, e.g. the State Data Protection Officer of Rhineland-Palatinate:

The State Commissioner for Data Protection and
Freedom of information Rhineland-Palatinate
P.O. Box 30 40, 55020 Mainz
E-mail: poststelle@datenschutz.rlp.de
Tel: +49 (0) 6131 208-2449, Fax: +49 (0) 6131 208-2497

12. Amendment of this data protection notice

The status of this privacy policy is May 2024.

We reserve the right to update this data protection notice if necessary, in compliance with the applicable data protection regulations. In this way, we can adapt it to the current legal requirements and take changes to our services into account. The current version applies to the use of Microsoft Teams.