

Privacy notices for online meetings, conference calls, webinars and workshops via "Microsoft Teams and Miro"

With the following information, we would like to provide you with an overview of the processing of your personal data in connection with our use of "Microsoft Teams or Miro" and your rights under data protection law. We use the tools "Microsoft Teams or Miro" to conduct conference calls, online meetings, video conferences, workshops and/or webinars (hereinafter: "Online Meetings"). "Microsoft Teams or Miro" is a service of Microsoft Corporation, which is based in the United States. Miro is a platform for visual online collaboration and has its headquarters in the USA and the Netherlands.

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For reasons of better readability alone, the simultaneous use of the language forms male, female and diverse has been dispensed with. All designations of persons and/or functions apply equally to all genders.

1. Who is responsible for the data processing and whom can I contact?

The data controller for data processing directly related to the conduct of online meetings is:

Exaris Solutions GmbH
Erich-Klausener-Str. 92
47802 Krefeld

You can reach our data **protection officer** at:

Exaris Solutions GmbH
Datenschutzbeauftragter
Erich-Klausener-Str. 92
47802 Krefeld
datenschutz@exaris-solutions.de

In the event that confidentiality is desired, please contact our Privacy Officer by mail with the notation "Personal / Confidential".

Note: If you access the "Microsoft Teams or Miro" website, the provider of "Microsoft Teams or Miro" is responsible for data processing. However, accessing the website is only necessary for the use of "Microsoft Teams or Miro" in order to download the software for the use of "Microsoft Teams or Miro".

You can also use "Microsoft Teams or Miro" if you enter the respective meeting ID and, if applicable, further access data for the meeting directly in the "Microsoft Teams or Miro" app.

If you do not want to or cannot use the "Microsoft Teams or Miro" app, the basic functions can also be used via a browser version, which you can also find on the "Microsoft Teams or Miro" website.

2. What data we use?

When using "Microsoft Teams or Miro", various types of data are processed. The scope of the data also depends on what data you provide before or during participation in an "online meeting".

Personal data that are subject to processing are (user details (first name, last name, telephone (optional), e-mail address, password (if "single sign-on" is not used), profile picture (optional)), department, meeting metadata (topic, description (optional), participant IP addresses, device/hardware information), Recording data (MP4 file of all video, audio and presentation recordings, M4A file of all audio recordings, text file of online meeting chat), telecommunication data (incoming and outgoing phone number, country name, start and end time) and other connection data (the IP address of the device)).

Text, audio and video data: You may be able to use the chat, question and survey functions in an online meeting.

chat, question or survey functions. To this extent, the text entries you make are processed in order to display them in the "online meeting" and, if necessary, to log them. To enable the display of video and the playback of audio, the data from the microphone of your terminal device and from any video camera of the terminal device will be processed accordingly for the duration of the meeting. You can switch off or mute the camera or microphone yourself at any time via the "Microsoft Teams or Miro" applications.

To participate in an "online meeting" or to enter the "meeting room", you must at least provide information about your name.

When setting up an online meeting, a name for the online meeting is chosen by the organizer. In addition, a password can be provided for participation in the online meeting. This data is only processed until the end of the respective online meeting and then deleted. Please note, however, that the name of "online meetings" as well as the date, time and duration of the "online meeting" may be stored locally in your browser. If you do not want to continue to see the data, you should delete your browser cache.

3. What we process your data for (purpose of processing) and on which legal basis?

We use "Microsoft Teams or Miro" to conduct online meetings, video conferences, work-shops and/or webinars (hereinafter: "Online Meetings"). If we want to record online meetings, we will transparently inform you in advance and - if necessary - ask for your consent. The fact of the recording will also be displayed to you in the "Microsoft Teams or Miro" app.

If it is necessary for the purposes of logging the results of an online meeting, we will log the chat content. However, this will generally not be the case.

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

If you are registered as a user with "Microsoft Teams or Miro", then reports of online meetings (meeting metadata, telephone dial-in data, questions and answers in webinars, survey function in webinars) may be stored for 30 days in exceptional cases up to 90 days with "Microsoft Teams or Miro".

The possibility of software-based "attention monitoring" ("attention tracking") existing in "online meeting" tools such as "Microsoft Teams or Miro" is deactivated.

3.1 For the implementation of the employment relationship (§ 26 BDSG)

The processing of personal employee data is primarily carried out in the employment context, i.e. in particular for the purposes of fulfilling the employment contract together with attachments, including the fulfillment of obligations stipulated by legal regulations.

3.2 For the fulfillment of contractual obligations (Art. 6 para. 1 lit. b GDPR)

The processing of customer, supplier and other participant data at "online meetings" is carried out - insofar as the meetings are held within the framework of contractual relationships - for the implementation and fulfillment of our contractual obligations.

3.3 Within the framework of the balancing of interests (Art. 6 para. 1 lit. f GDPR)

If, in connection with the use of "Microsoft Teams or Miro", employee data is not required for the establishment, implementation or termination of the employment relationship, but is nevertheless an elementary component in the use of "Microsoft Teams or Miro", we process the data within the scope of our legitimate interest. In these cases, our interest lies in the effective implementation of "online meetings".

If there is no contractual relationship with customers, suppliers or other participants that regulates the "online meetings" in the context of contractual relationships, we process the data within the scope of our legitimate interest. In these cases, our interest is in the effective conduct of "online meetings".

4. Who gets my data?

Personal data processed in connection with participation in "online meetings" will not be disclosed to third parties unless it is intended for disclosure. Please note that the content of online meetings, as well as face-to-face meetings, is often used to communicate information with customers, prospects or third parties and is therefore intended for disclosure.

Other recipients: The provider of "Microsoft Teams or Miro" necessarily receives knowledge of the above data, insofar as this is provided for in the context of our order processing agreement with "Microsoft Teams or Miro".

5. If data is transferred to a third country or to an international organization?

"Microsoft Teams or Miro are services provided by a provider from the USA. A processing of personal data therefore also takes place in a third country. We have concluded an order processing agreement with the provider of "Microsoft Teams or Miro" that complies with the requirements of Art. 28 DSGVO.

An adequate level of data protection is guaranteed by the conclusion of the so-called EU standard contractual clauses.

However, the data is encrypted during transport via the Internet and thus protected against unauthorized access by third parties.

6. How long will my data be stored?

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

7. What data protection rights do i have?

Every data subject has the right to information under Article 15 of the GDPR, the right to rectification under Article 16 of the GDPR, the right to erasure under Article 17 of the GDPR, the right to restriction of processing under Article 18 of the GDPR and the right to data portability under Article 20 of the GDPR. With regard to the right to information and the right to erasure, the restrictions pursuant to Sections 34 and 35 BDSG apply. In addition, there is a right of appeal to a data protection supervisory authority (Art. 77 DSGVO in conjunction with § 19 BDSG).

You may revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations of consent given to us before the DSGVO came into force, i.e. before May 25, 2018. Please note that the revocation only takes effect for the future. Processing that took place before the revocation is not affected by it.

8. If there is an obligation for me to provide data?

Basically no. However, without this data we will usually not be able to communicate with you via online meeting.

9. To what extent there is automated decision-making (including profiling) in the individual case?

In some cases, we process your data automatically with the aim of evaluating certain personal aspects (profiling). In order to be able to inform and advise you about products in a targeted manner, we use evaluation tools. These enable needs-based communication and advertising, including market and opinion research.

10. Changes to this information

We may update this privacy statement from time to time. We encourage you to periodically review this Privacy Statement so that you are aware of our privacy practices. This Privacy Notice was last updated on 04/16/2021.

Stand: 22.08.2022