

# Employee Privacy Policy

## 1. DATA CONTROLLER IDENTIFICATION

EngMindera Software Engineering, S.A. (hereinafter “Mindera”), we, our and us refers to Mindera, and any of our corporate affiliates, with registered Office in Rua Gonalo Crist3v3o, n.º 347, 4.º piso, sala 404, Porto. Mindera is the data controller for the global People information to store and post-process data relating to its employees, including workers, suppliers and temporary workers (collectively referred to as "employees").

If you have any queries about the process, how we handle your information or if you do not understand any aspects of this document, please feel free to contact us at [privacy@mindera.com](mailto:privacy@mindera.com).

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## 2. WHAT WILL WE DO WITH THE INFORMATION YOU PROVIDE TO US?

Law no. 58/2019, 8th august, hereinafter “LPDP” and the Regulation (EU) 2016/679 of the European Parliament and of the council of 27 April 2016, assure the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

Personal data means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

All of the information you provide during any process will only be used for the purpose of progressing your application, to fulfil legal or regulatory requirements, if necessary, to manage work relations, related legitimate interests and any benefits given.

We will not share any of the information you provide with any third parties for marketing purposes. The information you provide will be held securely by us and/or our data processors whether the information is in electronic or physical format.

By reading this Privacy Policy, the employee is informed about the processing of personal information carried out by Mindera.

### 3. HOW IS YOUR PERSONAL DATA COLLECTED?

We collect your personal data using the method described below.

The employee provides personal data about himself and other people: for example, personal data that you make available to your Operations team, and certain data fields may be mandatory. Filling in these mandatory data fields is necessary for several reasons. There is certain data, such as your bank details, which are important and without which Mindera will not be able to fulfill its obligations under an employment contract or service provision contract. We also define data fields as mandatory in cases where the law requires us to collect certain data about you.

You will also be able to provide us with personal data about other people, namely your dependents and other family members. This need usually results from People Processes administration and management imperatives. For example, data may be necessary for the administration of perks or due to the need to contact your closest family members in emergency situations.

Before providing the personal data of third parties to us, you must:

- warn them that you intend to make their personal data available to us; and
- how our company (and our suppliers) processes your personal data; and
- make sure you do not mind if you share your personal data with us.

Please note that we may be subject to the duty to collect certain personal data about you. This may occur, for example, due to a legal or contractual requirement to obtain personal data under a contract concluded between you and Mindera. The same applies in cases where the collection of your personal data is necessary to conclude a contract between you and the organization.

## 4. WHAT INFORMATION DO WE ASK FOR, AND WHY?

We only collect personal data that fulfils our stated purposes and will not retain it for longer than is necessary. We collect various types of personal data about you, as described in a non-exhaustive manner in the following list:

### a) Data relating to employees

Role, first name, middle name and surname, preferred name, additional names, gender, nationality, second nationality, marital status, date of birth, age, home contact (address, phone number, e-mail), data bank details, national identification number and / or social security number, curriculum vitae (which may include academic data, qualifications, professional curriculum), spoken languages, contact information for family members or dependents.

### b) Data relating to employment or professional collaboration

Your contact details at work (address, phone number, e-mail), normal working hours, standard language, time zone and local currency; your remuneration information (including salary / hourly pay / contract, as applicable, allowances and possible bonuses), your worker ID and various system IDs, job records absence (including dates / leave / absence categories); your type of employment as an employee; their start and end dates; your cost centre; your professional position; your scheduled weekly schedule, whether you work full or part time; your termination / termination date and the reason for termination; your last day in office; situation (active / inactive / terminated); professional position; allocated projects, the reason for changes in professional position and the date of the change; the date of registration as a beneficiary.

### c) Additional data that we may collect in the cases provided for by law

Examples of this type of data are: the documentation required under local immigration legislation; their racial or ethnic origin; information regarding your health / disability status, as well as additional information provided by a health professional; background checks, including criminals when required by law; justifications for leave / absence; certain

information regarding maternity / adoption; membership in union organizations and political, religious, philosophical or similar affinities; leave dates / perks service; brand; occupation; client; competence; professional position; various information regarding termination.

#### d) Verification, maintenance and development of information systems;

Management of company policies and procedures regarding e-mail, IT, internet, social networks and People Processes, among others. The company monitors Mindera's IT systems in order to ensure the protection and maintenance of the systems; ensure compliance with Mindera's policies, including the OP3 Acceptable Use Policy; and to locate information through searches, where necessary, within the framework of a legitimate business purpose;

#### e) Statistical analyses;

Mindera records statistics whenever necessary to comply with the equality and diversity requirements of local legislation. To the extent permitted by local law, Mindera may also use the data for statistical purposes, for example, statistics obtained on the basis of your personal data may be used for the purpose of equal opportunities.

Conducting surveys for the purpose of comparative assessment and identification of more effective working methods, relationships with employees and professional commitment (often anonymously, but which may include profile data, such as age, in order to support any analysis of results);

#### f) Provision of Mindera's services;

To comply with applicable laws and regulations, for example, legislation on maternity or parental leave and working hours, as well as health and safety legislation, tax rules, worker consultation requirements and other labor legislation and regulations to which Mindera is subject);

Whenever required or permitted by current legislation, monitoring programs designed to ensure equal opportunities and diversity in relation to personal characteristics protected from discrimination by local law;

Planning, monitoring and implementation in the context of a business transaction or service transfer that impacts your relationship with Mindera. For example, mergers and acquisitions or a transfer of your professional position under automatic transfer rules;

For the purposes of operational documentation and company reports, including the preparation of annual reports, commercial proposals or records of client teams, including the use of photographic images if/when applicable (e.g. teams or office photos); Only in cases where you give your consent.

To operationalize relations with customers and suppliers. This may include disclosure to customers of relevant pre-control information (in accordance with the appropriate requirements of regulated customers), contact information, curriculum vitae information. It may also be necessary to disclose personal data to suppliers;

Whenever it is relevant for the proper publication of internal or external communications or for advertising material, namely through social networks in appropriate circumstances;

To enforce our legal rights and obligations, as well as for any purposes related to any legal proceedings brought by you, brought against you or in which you are in any way involved;

To comply with legally substantiated requests from public authorities (including, but not limited to, complying with national security or law enforcement requirements), requests for discovery or, as required or permitted by applicable law, by court orders, by official regulations or by regulatory authorities (including, but not limited to, data protection, taxation and employment), whether within or outside the national territory; and

Other associated purposes, as long as provided for in the applicable legislation on privacy and data protection, including in defense of Mindera's legitimate interests, whenever this does not conflict with the fundamental interests or rights and freedoms of employees.

#### **g) Monitoring of information systems to ensure the integrity, confidentiality and availability of personal data**

We periodically need to monitor our IT and communications systems for specific purposes. We may do this through automated tools like anti-malware software, website filtering, spam filtering, security software and mobile device management solutions to maintain and protect our IT systems and network security, including investigating and responding to suspected security incidents.

Where permitted by law, we may also monitor for other purposes, such as:

- (a) To document and archive proof of business transactions;
- (b) To protect our confidential information, intellectual property, and other business interests;
- (c) To investigate breaches of our company policies or other unlawful or improper acts;
- (d) To comply with a legal obligation; and
- (e) For other legitimate purposes, as permitted by applicable law.

Please note that any Employee message, files, data, document, electronic communications, social media posts, or any other types of information transmitted to or from, received or printed from, or created, stored, or recorded on our IT and communications systems and assets are presumed to be business-related and we may monitor it in accordance with this Privacy Notice.

We recognise that any monitoring that we perform may impact our Employees' privacy, so we will always seek to ensure that any monitoring we perform is proportionate for the limited and specific purposes needed and conducted as required or permitted by applicable law, which means doing so with previous notice and in Employee's presence.

Before undertaking any monitoring activities, we will always consider your privacy carefully and assess whether there are any less invasive options available.

## h) Events

The information we ask for is used to organize some specific events, estimate attendance and organize logistics, catering and other requirements. If you disagree with our policy and do not wish to provide us with this information.

Your data will be processed by data processors who provide services and elements of our event organization and planning for us.

The data collected from event sign-up will be retained for a period of 3 months after the event.

If you use our online application system, you will provide the requested information to Eventbrite who provide this online service for us. Once you request a ticket on Eventbrite website, they will hold the information you submit and Mindera will have access to it.

Their Privacy Notice is available at

[https://www.eventbrite.com/support/articles/en\\_US/Troubleshooting/eventbrite-privacy-policy](https://www.eventbrite.com/support/articles/en_US/Troubleshooting/eventbrite-privacy-policy)

## i. Offer of employment

If we make an offer of employment, we will ask you for information so that we can fill out your employee details. We are required to confirm the identity of our staff, their right to work in Portugal and seek assurance as to their trustworthiness, integrity and reliability.

You may, therefore, be required to provide:

- Proof of your identity – you will be asked to send a copy of the original documents, as well as fill out forms with this detail;
  - Bank details – to process salary payments;
  - Emergency contact details – so we know who to contact in case you have an emergency at work;
  - Information needed to create the health insurance;
  - Tax identification and details about your qualifications - to add to your employee record;
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- We will also ask you to attend a consultation about your health. This is to establish your fitness to work. This is done through a data processor, a health service provider;
  - In case you choose to benefit from Childcare Vouchers, we will also ask for your children's identification and the name of the daycare facility they attend.
  - Also, in case you choose to benefit from Health Insurance for your family (children and spouse), we will ask for their identification information.

## Mindera People

We use an in-house application, Mindera People, to store employee details, processing timesheets, scheduling time off and overall manage employee details. The information stored in Mindera People includes your name, address, date of birth, CC number, NISS, NIF and dependent details, etc. These are only filled out if needed for a specific purpose and can be managed by each employee individually.

## ii. Use of data processors

Data processors are third parties who provide elements of our recruitment service for us. We have contracts in place with our data processors. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share



your personal information with any organisation apart from us. They will hold it securely and retain it for the period we instruct.

### Caixa Geral de Depósitos

If you are employed by Mindera in Portugal, relevant details about you will be provided to Caixa Geral de Depósitos, who provide our Meal Card services.. The data we share will include your full name and bank details.

Their Privacy Notice is available [here](#).

### Lusitania

Lusitania provides our Work Insurance through Paulo Oliveira Mediação de Seguros Unipessoal Lda which acts as a broker. The data we share with them will include your name, NISS and salary slip.

Lusitania's Privacy Notice is available [here](#) [PDF].

Broker's Privacy Notice is available [here](#).

### Ticket Restaurant and Edenred

Mindera offers Childcare Vouchers, to be used in daycares and kindergartens, if you have a child under 7 years old. If you choose to benefit from this perk, you'll be asked to provide the name of the children, as well as their date of birth, NIF and name of the child care institution they attend. This information shall be provided to Ticket Restaurant and Edenred.

Edenred's privacy policy is available [here](#).

### MedialCare

MedicalCare provides our Occupational Health and Safety service. If we make you a conditional offer, we will ask that you attend a consultation, which will help to determine if you are fit to undertake the work that you have been offered, or advise us if any adjustments are needed to the work environment or systems so that you may work effectively. In order to schedule the consultation, MedialCare shall be provided with your name, gender, nationality, CC and it expiration date, NIF, date of birth, your address, phone contact, email address, date of your last occupational health appointment, address of your workplace, date that you joined us and your role at Mindera.

The information obtained from that consultation will be held by MedialCare, who will provide us with a fit to work certificate or a report with recommendations. You can request to see the

report that will be sent to us. If you decline to do this or for us to see it, then this could affect your job offer. If an occupational health assessment is required, this is likely to be carried out by MedialCare.

MedialCare's privacy policy is available [PDF].

### Coverflex

Coverflex is a platform where you can access benefits you have at Mindera, such as health insurance. In this platform you can update your data in Multicare Health Insurance policy, such as updating your address and Iban, for example, and also add spouses and/or children.

Additionally, whenever there is profit distribution we also use this platform with some extra benefits as an option for the minders at the moment.

The data we share will include your name, address, birth date, Iban, fiscal number, nationality and phone number.

Their website privacy policy can be found [here](#).

### i) Internships

We also offer opportunities for people to come and work with us on an internship basis. If you come to Mindera as an intern, we may ask for your name, Civil Identification Number or legal equivalent, address and bank details.

In case the intern is a minor, the legal guardian(s) will be asked to fill out a form of consent for handling their ward's data.

## 5. LAWFULNESS FOR THE PROCESSING OF THE PERSONAL DATA

Your personal data will be processed:

- (i) when you give us your consent to the processing of your personal data for certain specific purposes;

- (ii) when they are necessary for the performance of a contract to which you are a party, or for pre-contractual proceedings at your request, in which case you must provide your data under penalty of being impossible to fulfil the contractual obligations to which Mindera is obliged and to that effect cannot provide its services;
- (iii) when they are necessary to comply with legal obligations;
- (iv) for the purposes of the legitimate interests pursued by Mindera or third parties, unless your interests or fundamental rights and freedoms that require the protection of personal data prevail.

## 6. DATA RETENTION PERIOD

Your personal data will only be stored and processed for the period that proves necessary or mandatory for the fulfilment of the purposes described above, applying criteria for the retention of information appropriate to each processing and in line with the applicable legal, regulatory and even prescription of civil and offense liability. If you want you can read our Data Retention Policy [here](#).

After the respective data retention period has elapsed, the data shall be deleted or anonymised where it should not be kept for a separate purpose which may prevail.

## 7. SHARING DATA WITH RECIPIENTS

In some cases, your personal data may be communicated to processors in the context of services provided by them (service providers, e.g.: information technology services, communications sending services, customer support services electronic signature processing services). In such cases, we require these processors to have the appropriate security measures in place to protect your personal data.

Your data may also be communicated to authorities and public entities under a legal obligation.

## 8. TRANSFERS OF PERSONAL DATA

The personal data collected will be processed within the European Economic Area and there are no international transfers of data to third countries or international organisations.

In the case of processing of personal data outside the European Economic Area, this will only occur under the adoption of appropriate safeguards and the level of protection required, in accordance with applicable legislation on the protection of personal data, in particular through adequacy decisions and SCCs.

## 9. EMAIL

We use Transport Layer Security (TLS) to encrypt and protect email traffic. If your email service does not support TLS, you should be aware that any emails we send or receive may not be protected in transit.

We will also monitor any emails sent to us, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send is within the bounds of the law.

For more information please have a look at our [Email Security Policy](#).

## 10. DATA SECURITY

We take appropriate measures to ensure that all personal data is kept secure including security measures to prevent personal data from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal data to those who have a genuine business need to view it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted through any online means, therefore any transmission remains at your own risk.

## 11. LINKS TO OTHER WEBSITES

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

## 12. YOUR DATA SUBJECT RIGHTS

You have the right to exercise the following rights:

- Right to information: request additional information about our use of your personal data;
- Right of Access: access or request access to the personal data you have provided to us;
- Right to data Portability: request the transmission of the personal data you have provided to us;
- Right to Rectification: request the correction or updating of your personal data;
- Right to Erasure: request the erasure of your personal data, when the law or contract permits;
- Right to Restriction: request the restriction of how we use your personal data, while correcting or clarifying any questions about its content or the use we make of it;
- Right to Object: We provide a channel so that you can challenge decisions that have been based on your personal data.
- You also have the right to withdraw or change, at any time, the consent you have given us to use your personal data, when this has been the basis of lawfulness for the use of them;
- You also have the right to file a complaint with a supervisory authority, in particular in the Member State of your habitual residence, your place of work or the place where the infringement was allegedly committed, if you consider that the processing of your personal data violates the General Data Protection Regulation.

To do so, you can request in writing, specifying the right or rights you wish to exercise, through the following email: [privacy@mindera.com](mailto:privacy@mindera.com)

We try to answer every email promptly where possible and provide our response within the time period stated by applicable law.

Keep in mind, however, that there will be residual information that will remain within our databases, access logs and other records, which may or may not contain your Personally Identifiable Information. Please also note that certain Personally Identifiable Information may be exempt from such requests in certain circumstances, which may include if we need to keep processing your Personally Identifiable Information to comply with a legal obligation.

When you email us with a request, we may ask that you provide us with information necessary to confirm your identity.