

# Data Privacy Statement of the training platform “Litmos”

## 1. Data protection at a glance

### General

The following notes provide a simple overview of what happens to your personal information when you use our training platform. Personal information are all data with which you can be personally identified. For detailed information on the privacy aspect, please refer to our privacy statement below.

### Data collection on our training platform

#### Who is responsible for the data collection on this training platform?

The data collected on this training platform are processed by the training platform operator Wacker Neuson SE. The operator's contact details can be found below. At the same time, the operator is considered the controller in terms of data protection.

#### How do we collect your data?

On the one hand, your data is collected by the fact that you provide it to us yourself. This can be, for example, data that you enter in a form or in which you create discussion posts on the platform. Other data is collected automatically by IT systems when you visit the training platform. This is mainly technical data (e.g. internet browser, operating system or time of page view). This data is collected automatically as soon as you use our training platform. In addition, your employer may have provided us with personal information. This mainly concerns your first and last name and your business e-mail address, which also enables the creation of a user account on the training platform.

#### What do we use your data for?

Some of the data is collected to ensure error-free provision of the training platform. Further data is used to enable the use of the training platform (user administration) and to control and evaluate registration and participation in training courses.

#### What rights do you have regarding your data?

You have the right to receive information about the origin, recipient and purpose of your stored personal information free of charge at any time. You also have a right to request the correction, restriction or deletion of this data. For this purpose, as well as for further questions on the subject of data privacy, you can contact the controller at any time. Furthermore, you have the right to lodge a complaint with the competent supervisory authority.

## 2. General information and mandatory information

### Data protection

We treat your personal information as confidential and in accordance with the statutory data protection regulations and this privacy statement. We recommend that you call up this privacy statement regularly, as it is constantly being improved. If you use this training platform, various sorts of personal information will be collected. Personal information is any data with which you could be personally identified. This privacy statement explains what information we collect and what we use it for. It also explains how and for what purpose this happens. Please note that data transmitted via the internet (e.g. via email communication) may be subject to security breaches. A seamless protection of your data from third-party access is not possible.

### Notice concerning the controller

The controller for processing data on this training platform is:

Wacker Neuson SE  
Preussenstrasse 41  
80809 Munich, Germany  
Phone: +49 - (0)89 - 35 402 -0

E-mail: [info@wackerneuson.com](mailto:info@wackerneuson.com)

The controller is the natural or legal person who alone or jointly with others decides on the purposes and means of processing personal information (names, e-mail addresses, etc.).

## Data retention

Unless a more specific storage period has been specified in this privacy statement, your personal information will remain with us until the purpose for which the data is processed no longer applies. If you have a legitimate request for deletion or withdraw your consent to data processing, your data will be erased, unless we have other legally permissible reasons for the storage of your personal information (e.g. tax or commercial law retention periods); In the latter case, the erasure will take place after the cessation of these reasons.

## Note on data transfer to the USA

On our training platform, among the tools we use are ones from companies based in the USA. If these tools are active, your personal information may be transferred to the US servers of these companies. We would like to point out that the USA is not a safe third country in terms of EU data protection law. US companies are obliged to disclose personal information to governmental security authorities with no possibility for you as a data subject to take legal action against this. Therefore, it cannot be prevented that US authorities (e.g. secret services) may process, evaluate and permanently store your data on US servers for monitoring purposes. We have no influence on these processing activities.

## Withdrawal of your consent to the processing of your data

Many data processing operations are only possible with your explicit consent. You may withdraw your consent at any time with future effect. An informal email making this request is sufficient. The lawfulness of the data processing carried out up to the time of withdrawal remains unaffected by the withdrawal.

## Right to object to data collection in particular situations and to direct marketing (Art. 21 GDPR)

IF THE DATA PROCESSING IS BASED ON ART. 6 (1) LIT. E OR F GDPR, YOU HAVE THE RIGHT TO OBJECT TO THE PROCESSING OF YOUR PERSONAL INFORMATION AT ANY TIME FOR REASONS ARISING FROM YOUR SPECIFIC SITUATION, INCLUDING PROFILING BASED ON THESE PROVISIONS. THE RESPECTIVE LEGAL BASIS ON WHICH PROCESSING IS BASED CAN BE FOUND IN THIS DATA PROTECTION DECLARATION. IF YOU OBJECT, WE WILL NO LONGER PROCESS YOUR PERSONAL INFORMATION UNLESS WE CAN PROVE THAT THERE ARE COMPELLING REASONS FOR PROCESSING WHICH ARE WORTHY OF PROTECTION AND WHICH OUTWEIGH YOUR INTERESTS, RIGHTS AND FREEDOMS OR IF THE PROCESSING SERVES TO ASSERT, EXERCISE OR DEFEND LEGAL CLAIMS (OBJECTION ACCORDING TO ART. 21 (1) GDPR). IF YOUR PERSONAL INFORMATION ARE PROCESSED FOR THE PURPOSE OF DIRECT MARKETING, YOU HAVE THE RIGHT TO OBJECT AT ANY TIME TO THE PROCESSING OF YOUR PERSONAL INFORMATION FOR THE PURPOSE OF SUCH MARKETING, INCLUDING PROFILING, INsofar AS IT IS CONNECTED WITH SUCH DIRECT MARKETING. IF YOU OBJECT, YOUR PERSONAL INFORMATION WILL SUBSEQUENTLY NO LONGER BE USED FOR THE PURPOSE OF DIRECT MARKETING (OBJECTION ACCORDING TO ART. 21(2) GDPR).

## Right to lodge complaints with supervisory authority

If there has been a breach of data protection legislation, you as a data subject may file a complaint with the supervisory authority. The supervisory authority for matters related to data protection legislation is the data protection officer of the German state in which our company is headquartered. You can find more information about complaints and lodging in the German federal system here:

<https://www.bfdi.bund.de/EN/DataProtection/Subjects/Complaints/Complaints.html?nn=10396540>

The supervisory authority for Wacker Neuson SE is:

Bayerisches Landesamt für Datenschutzaufsicht  
Promenade 18  
91522 Ansbach, Germany

## Right to data portability

You have the right to have data, which we process in automated form on the basis of your consent or in fulfilment of a contract, handed over to you or to a third party in a common, machine-readable format. If you request the direct transfer of the data to another controller, this will only take place to the extent that it is technically feasible.

## Information, restriction, erasure

Within the framework of the applicable legal provisions, you have the right to obtain information free of charge at any time about your stored personal information, its origin and recipients and the purpose of the data processing and, if applicable, a right to rectification, restriction or erasure of this data. For this purpose, as well as for further questions regarding personal information, you can contact us at any time at the address given in the imprint. Please note that erasure may not be possible if we are legally obliged to retain the data.

## Right of restriction of processing

You have the right to request that the processing of your personal information be restricted. To do so, you can contact us at any time at the address given in the imprint. The right of restriction of processing exists in the following cases:

- If you dispute the correctness of your personal information stored by us, we usually need time to verify this. For the duration of the review you have the right to request restriction of the processing of your personal information.
- If the processing of your personal information was/is carried out unlawfully, you may demand the restriction of the data processing instead of erasure.
- If we no longer need your personal information for the purposes of processing, but need it for the exercise, defence or assertion of legal claims, you have the right to request restriction instead of erasure of your personal information.
- If you have lodged an objection in accordance with Art. 21 (1) GDPR, a balance must be struck between your interests and ours. As long as it is not yet clear whose interests prevail, you have the right to demand the restriction of the processing of your personal information.

If you have restricted the processing of your personal information, this data may be used - by exclusion of their storage - only with your consent, or for the assertion, exercise or defence of legal claims, or to protect the rights of another natural or legal person, or for reasons of important public interest of the European Union or of a Member State.

## SSL or TLS encryption

This site uses SSL or TLS encryption for security reasons and to protect the transmission of confidential content, such as orders or inquiries that you send to us as site operator. You can recognize an encrypted connection by the fact that the address line of your browser changes from "http://" to "https://" and by the lock symbol. If the SSL or TLS encryption is activated, the data you transmit to us cannot be read by third parties.

In addition, the processor (see below) uses encryption technology to protect stored data on the servers from third-party access ("encryption in rest", AES-256).

## 3. Data protection officer

### Statutory data protection officer

We have appointed a data protection officer for our company:

Markus Stemmer  
Data Privacy Officer of Wacker Neuson SE  
Preußenstraße 41  
80809 Munich, Germany  
Phone: +49 89 35402-0  
E-mail: [privacy@wackerneuson.com](mailto:privacy@wackerneuson.com)

## 4. Data collection on our training platform

### Trainings

To use our training platform, your employer provides us with your personal information such as name and e-mail address, on the basis of which we set up a user account. As a participant, you will then receive a link by email, register accordingly on the platform and thereby activate your user account. Your user account will remain in existence until your employer requests or carries out a corresponding deletion or an inactivity of more than 36 months is detected in the system for your user account. The legal basis for the processing is Art. 6 (1) lit. b GDPR (here: Terms of Use).

If you have registered for a product- or service-related training, general learning content or continuing education (hereinafter: "training"), the participation and, if applicable, the degree of success (depending on the training) will be recorded by the platform and transmitted to your employer. For the purposes of quality assurance and the traceability of participations, we store them for up to 36 months. Afterwards, the participations are anonymized and the personal reference is removed. The legal basis for the processing is Art. 6 (1) lit. f GDPR. We assert our legitimate interest in achieving a high participation rate in training courses and thus being able to assure our customers of high-quality support, as well as being able to demonstrate participation in safety-critical training courses (e.g. high-voltage products, processes relevant to occupational safety).

If you are an employee of a sales organization of the controller, of affiliated companies within the meaning of Section 15 of the German Stock Corporation Act (AktG), or of affiliated dealer structures, we transmit your participation in training courses to the production plant that manufactures the products you sell and to the sales organization responsible for you in a staged procedure. The purposes for this are, on the one hand, the steering of required trainings in connection with machine or equipment deliveries and, on the other hand, the participation in our regular dealer evaluation, which provides for a bonus system of hourly rates in the warranty compensation. The legal basis for the processing is Art. 6 (1) lit. f GDPR. We assert our legitimate interest to deliver products exclusively to qualified sales partners and to offer incentives for this via the aforementioned bonus system, to achieve a high participation rate in training courses, as well as to be able to demonstrate participation in safety-critical training courses (e.g. high-voltage products, work safety-relevant processes).

The following data is stored in the platform:

Name	required
E-Mail Address	required
Assigned access group or role	required
Assigned Language	required
Company Name	required
Postal Business Address	required
Employer's customer number	required
Registration, participation, result or degree of success	required
Organizational Unit / Location	required
Supervisor	voluntary - possibly entered by the employer
Workplace	voluntary - possibly entered by the employer
Phone Number	voluntary - possibly entered by the employer
Skype-ID	voluntary - possibly entered by the employer
Twitter-ID	voluntary - possibly entered by the employer

### Cookies

Our Internet pages use so-called "cookies". Cookies are small text files and do not cause any damage to your end device. They are either stored temporarily for the duration of a session (session cookies) or permanently (permanent cookies) on your end device. Session cookies are automatically deleted at the end of your visit. Permanent cookies remain stored on your end device until you delete them yourself or until they are automatically deleted by your web browser.

Cookies have various functions. Many cookies are technically necessary, as certain training platform functions would not work without them (e.g. the display of videos). Other cookies are used to evaluate user behaviour or display advertising. Cookies that are required to carry out the electronic communication process (necessary cookies) or to provide certain functions (functional cookies, e.g. for language selection) are stored on the basis of Art. 6 (1) lit. f GDPR, unless another legal basis is cited. The training platform operator has a legitimate interest in the storage of cookies for the technically error-free and optimized provision of his services. If consent to the storage of cookies has been requested, the storage of the cookies in question will be carried out exclusively on the basis of this consent (Art. 6 (1) lit. a GDPR); the consent can be revoked at any time. You can set your browser so that you are informed about the setting of cookies and allow cookies only in individual cases, exclude the acceptance of

cookies for specific cases or in general and activate the automatic deletion of cookies when closing the browser. If you deactivate cookies, the functionality of this training platform may be limited. Insofar as cookies are used by third-party companies or for analysis purposes, we will inform you separately about this in later sections of this privacy policy and ask for your consent.

## Server log files

Der Dienstleister, der dem Verantwortlichen die Schulungsplattform zur Verfügung stellt, erhebt und speichert automatisch Informationen in so genannten Log-Dateien, die Ihr Browser automatisch übermittelt. Eine Aufstellung der entsprechend verarbeiteten Daten ist in englischer Sprache hier verfügbar:

<https://support.litmos.com/hc/en-us/articles/360023147833-GDPR-and-DPP-PII-Dashboard-Activity-Logs-and-User-Recent-Activity-Logs>

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This data is not merged with other data sources. The legal basis for the data processing is Art. 6 (1) lit. c GDPR. We are obliged by legal obligations – primarily the GDPR itself – to detect authorized and unauthorized changes to personal information. Keeping these log files is a technically necessary basis for this. The collected data is automatically deleted irrevocably after 60 days.

## Discussion postings

By providing the comment function, we would like to enable you to interact and exchange ideas in an uncomplicated manner. If you leave discussion contributions on our platform, the time of their creation and the user name previously selected by the platform user will be stored in addition to the contributions themselves. The provision of discussion postings by you is exclusively voluntary and is therefore based exclusively on your consent (Art. 6 (1) lit. a GDPR). We consider the voluntary provision of discussion postings as your consent to the transfer to the third country that may concern you (Art. 49 (1) GDPR). The discussion postings remain stored as long as the associated user account exists (see paragraph above).

You can revoke this consent at any time. For this purpose, an informal communication by email to us is sufficient. The legality of the data processing operations carried out until the revocation remains unaffected by the revocation. The data you entered in the contact form will remain with us until you request us to delete it, revoke your consent to store it or the purpose for storing the data no longer applies (e.g. after deletion of your user account). Mandatory legal provisions - in particular retention periods - remain unaffected.

## 5. Data processor

The following organizations, companies or persons have been commissioned by the operator of this platform to process data:

Callidus Software Inc.  
4140 Dublin Blvd #400  
Dublin, CA 94568, USA

The processor may also transfer data to a third country and process it there. However, the processor shall ensure that the special requirements of Art. 44 et seq. GDPR are fulfilled. The security of the processing has been and is conscientiously checked by Wacker Neuson and corresponding suitable guarantees are available in current form.