PRIVACY POLICY AND DECLARATION OF CONSENT FOR ELEARNING

(STATUS: JANUARY 2015)

(1) The protection of personal data when participating in eLearning is of great importance to BOMAG GmbH (hereinafter “BOMAG”) as is its commitment to data protection. Strict adherence to the regulations of the German Federal Data Protection Act (Bundesdatenschutzgesetz) and Telemedia Act (Telemediagesetz) forms the basis of our confidential relationship to you as the user.

(2) In the following, we would like to briefly portray which data is collected within the context of eLearning and what happens to it.

(3) Please take into account the fact that by using the eLearning platform you are consenting to the use of your personal data in compliance with this Privacy Policy, as clearly set out in item VIII.

(4) We reserve the right to occasionally make amendments to the content of this Privacy Policy. We therefore recommend that you take the time to refamiliarise yourself with this Privacy Policy as amended at regular intervals. The scope of consent regarding use of your data will not be affected by these amendments.

I. Personal data

(1) Personal data means any information relating to the personal and factual circumstances of an identified or identifiable individual. This includes information and details such as name, address or other information, for example, postal address or phone number. This also applies to your e-mail address if it makes reference to your name or function in a way that allows you to be identified.

(2) We will collect, process, and use your personal data only with your consent or if legislation allows for this.

II. Purpose of data use

(1) The eLearning platform is used to access courses under BOMAG supervision and to communicate with BOMAG and other platform users.

(2) In as far as you are prompted to enter personal data, or such data is collected, this will serve the following purposes:
   • Execution and management of your courses
   • Provision of courses for call up and adaptation to your individual activities
   • Support when courses are requested, including monitoring of your learning progress
   • Enabling methods of communication with BOMAG and other platform users
   • Optimising platform functionality

III. Disclosure to a third party

(1) We shall only transfer your personal data to a third party if this is necessary to achieve the purposes cited in item II.2.

(2) It may be the case that we shall be obliged to disclose your data to a third party due to legal regulations. However, we shall only respond to such requests within this context and following thorough examination as to whether an obligation of this kind actually exists.

(3) Your personal data will only ever be processed within the scope of application of the EU Data Protection Directive.
IV. Your access rights

1. You will have permanent access to your user account data on the eLearning platform, which can be viewed and changed at any time in the protected area of the BSA.

2. Your access code consists of a user name and personal password. Your password is transferred encrypted by the BSA. We request that you take all cautionary measures necessary to protect your data when working on the internet. We recommend you use a secure SSL type browser for surfing the internet. Make sure you log off completely from any computer which is not for your sole use as soon as you have finished using it and never allow a third party access to your BSA password.

V. Protection of your data

1. We have developed organisational and technical measures to reliably protect any data received from you. In-depth information and training courses for our staff and companies commissioned for internal purposes as well as their obligation to data confidentiality ensure that your data will be handled confidentially.

2. For your safety, we will collect all personal data where possible using a secure and encrypted SSL connection (Secure Sockets Layer, recognised by “https://” at the beginning of the internet address in the address window at the top of your internet browser). This will ensure the confidentiality of your information on the internet.

3. Our server is protected from attacks by a firewall.

VI. Use of cookies

1. Cookies are used on the eLearning platform. These are small text files saved by your browser and stored on your computer. The cookies enable us to loosely track your progress in requesting courses thereby ensuring their corresponding availability. Furthermore, cookies allow usage data to be collected and saved for optimisation purposes. User profiles can be created from this data using a pseudonym. Your IP address is saved in this respect. Furthermore, cookies are used to save statistical information, such as your operating system, browser, date and time of access to keep eLearning platform functionality up-to-date.

2. Data collected via cookies will not be used to identify you personally as a visitor to the eLearning platform without your express consent. It will also not be compiled with the personal information you have entered.

3. Data collection and storage may be revoked with future effect at any time as described in item IX.

4. You can set your browser to stop cookies being saved on your hard drive and delete any that are already on there. In order to use the eLearning platform functions, however, you will have to allow the use of cookies. Otherwise, it may be possible that the eLearning platform will consequently not function.

VII. Use of analytical tools

The eLearning platform does not use any external analytical tools.
VIII. Consent

(1) By using the eLearning platform and acknowledging agreement (by ticking the relevant box), you are consenting to your personal data being used for the purpose and conditions of utilisation cited within the scope of this Privacy Policy.

(2) You may withdraw your consent with future effect at any time. Please refer to the part cited in item IX.4 for further information. We would like to refer you to the fact that the use of the eLearning platform and in particular access to the courses will no longer be possible as a result.

IX. Deletion and information

(1) Provided data is no longer required for the purposes given above, this will be deleted or blocked, if this is allowed for legal or actual reasons. Occasionally, data may need to be saved for an additional period on account of statutory or other legal obligations.

(2) According to the German Federal Data Protection Act, you have the right to access any information saved about your person free of charge and, if applicable, to the amendment, blocking and deletion of this data. Furthermore, you are entitled to object to the continued use of your personal data in the future at any time. You may also make sure of this by deleting your user account in the BSA. In this case, any data provided by you will be deleted subject to the regulation in item IX.1.

(3) In the case of a request for information or objection, you will be obliged to provide sufficient personal information (minimum of user name and e-mail address) and valid proof of it being your information that is concerned.

(4) If you withdraw your consent to the utilisation of your personal data, or would like to object to the data use, or if you still have any questions this Privacy Policy has been unable to answer, please contact the BOMAG Data Protection Officer:

BOMAG GmbH
-Datenschutzbeauftragter-
Hellerwald
56154 Boppard