

**PRIVACY NOTICE OF PERSONAL DATA PROCESSING FOR DATA SUBJECT –  
NON-EMPLOYEES  
of Ferroenergy s.r.o. pursuant to Regulation (EU) 2016/679 of the European Parliament  
and of the Council**

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Ferroenergy s.r.o. pays a maximum attention to the processing and the protection of personal data of data subjects, with an emphasis on the prevention of unauthorized interference with the privacy of natural persons and the respect for the principles of lawful processing.

The Controller Ferroenergy s.r.o., registered office: Vstupný areál U. S. Steel, 044 54 Košice, Slovak Republic, CRN: 50 720 937, incorporated in the Companies Register of District Court Košice I, Incorporation No.: Sec: Sro, File No. 40717/V (hereinafter the Controller or Ferroenergy), processes all personal data in accordance with applicable laws, in particular, with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (GDPR), and Act No. 18/2018 on the protection of personal data, amending certain acts.

In this document, you as data subject – non-employee of Ferroenergy, can find all essentials required by Article 13 of GDPR, as well as other required information in relation to the processing of your personal data by Ferroenergy. Not all data subjects have their personal data processed for all purposes, it depends on requirements and circumstances or performance content of activities assigned to data subjects and on their work assignment.

**1. Processing of personal data – legal basis, purpose and scope**

**1.1. Legal basis – fulfillment of statutory legal requirements**

1.1.1. Specific legal regulations determine the obligation of Ferroenergy to process personal data of data subjects and **the processing is necessary in order to fulfill statutory requirements of Controller**. In such case, the data subject's consent is not required, and data subjects shall support such processing of their personal data and provide it for processing. Without the provision of their personal data Controller will not be able to fulfill its statutory requirements, and this could have a negative impact on both Controller as well as the data subject.

1.1.2. **The statutory requirements result mainly** (however, not exclusively) from the following legal regulations, as amended:

- a) Labor Code (Act No. 311/2001 Coll)
- b) Act on occupational safety and health (Act No. 124/2006 Coll.)
- c) Act on social insurance (Act No. 461/2003 Coll.)
- d) Act on health insurance (Act No. 580/2004 Coll.)
- e) Act on income tax (Act No. 595/2003 Coll.)
- f) Civil Code (Act No. 40/1964 Coll.)
- g) Civil Procedure Code (Act No. 160/2015 Coll.)
- h) Criminal Code (Act No. 300/2005 Coll.)
- i) Offence Code (Act No. 372/1990 Coll.)
- j) Code of Administrative Procedure (Act No. 71/1967 Coll.)
- k) Act on bailiffs and distraints (Act No. 233/1995 Coll.)
- l) Commercial Code (Act No. 513/1991 Coll.)
- m) Act on archives and registers, amending certain acts (Act No. 395/2002 Coll.),
- n) Act on accounting (Act No. 431/2002 Coll.)
- o) Act on personal data protection (Act No. 18/2018 Coll.)
- p) Act on certain measures related to the reporting of anti-social activity (Act No. 307/2014 Coll.)

1.1.3. **The purpose** of the above-presented data processing is, in particular:

- a) fulfillment of duties of Ferroenergy, mainly in the field of personnel and payroll agenda, fulfillment of obligations of Ferroenergy in relation to the observance of duties resulting

- from legal regulations on occupational safety and health protection and when providing for the safety and protection of life and health, including fire safety;
- b) investigation of motions pursuant to Act No. 307/2014 Coll. on certain measures related to the reporting of anti-social activity, amending certain acts, as amended;
  - c) fulfillment of legal obligations resulting from tax or accounting regulations;
  - d) fulfillment of statutory requirements in relation to activities of legal section (mainly development of contracts, preparation and provision of authorizations, powers of attorney, licenses and permits, etc.);
  - e) administration of registry and archive.

## 1.2. **Legal basis – legitimate interest**

1.2.1. In some cases, Ferroenergy goes beyond the strict requirements of the applicable laws or regulations, but only as necessary to pursue the protection of our legitimate interests and only to a necessary extent. These legitimate interests arise from specific activities of our plant, which must fulfill strict safety and environmental requirements, as well as requirements to secure the protection of health and lives of persons that staying within the premises of U. S. Steel Košice, s.r.o. (hereinafter USSK), where Ferroenergy has also its registered office. They also arise from requirements to comply with selected foreign laws applicable to our parent company with the headquarters in the USA. Ferroenergy in that case processes personal data necessary for the purposes of **legitimate interests** that are pursued by it as Controller or by a third party and for the purposes of their protection without the data subject's consent.

1.2.2. The **legitimate interests** include, among others, also the following:

- a) providing for safety, life and health protection, protection of property and material values at entry, movement and exit from the premises of Ferroenergy;
- b) protection of public order and safety, detection of criminal conduct, detection and documentation of crimes, violation of regulations, and incidents;
- c) recording of safety and other trainings of contractors, organization of their familiarization and testing;
- d) fulfillment of obligations of Controller in relation to the observance of duties resulting from regulations on occupational safety and health, the observance of OSH principles, the investigation of undesirable events;
- e) recording of worked hours of contractors and their presence within the premises of USSK and Ferroenergy, especially for invoicing purposes;
- f) provision of communication and information devices, systems and applications, granting technical support and access rights to applications to selected contractors;
- g) continuous monitoring with a surveillance camera system, in particular, for the purpose of the protection of Controller's property or other entities' property, the protection of lives and health of persons staying in premises accessible to the public or in Ferroenergy premises, the observance of occupational safety and health rules, the investigation of undesirable events, including the monitoring of movement of natural persons, the prevention and detection of criminal activity, if any;
- h) running the so-called Ethics Line;
- i) arrangement of court, offense and criminal proceedings (complaints);
- j) agenda related to recovery of debts from data subjects;
- k) execution of measures related to economic and other sanctions, requirements of anti-terrorism and anti-corruption laws and regulations including due diligence of business partners;
- l) administration of business relations and execution of business transactions with business partners, (storage of contact data of their employees, storage of e-mail communication);
- m) webpage administration including a limited number of data when using cookies.

## 1.3. **Legal basis – contract fulfillment**

1.3.1. Ferroenergy has also to process personal data **inevitable for fulfillment of contracts** (e.g., deed of gift, lease contract) where one party is the data subject or at the request of the data subject measures should be taken before contract signing.

Also, in such a case Ferroenergy is entitled to collect personal data directly from the data subject without his/her consent; without their provision Ferroenergy cannot enter into the contractual relationship with the data subject and fulfill its contractual obligations.

1.3.2. **The purpose** of the above-presented data processing is, in particular:

- a) administration of the relationship with the data subject prior to employment or business relation conclusion (the so called pre-contractual relations);
- b) preparation of contracts with natural persons (e.g., in relation to movable and immovable property) and their internal registration and administration.

#### **1.4. Legal basis - consent**

1.4.1. If personal data is not processed by means of the methods listed above, Ferroenergy can process personal data in exceptional and isolated cases based on voluntarily granted consent of the data subject for the purposes specified in the consent, for example, for including the data subject in the job applicant list. The provision of personal data in the form of consent is voluntary and free.

1.4.2. The data subject can withdraw its consent anytime by delivering the written withdrawal of consent to the address of Ferroenergy's registered office. The withdrawal of consent has no influence on the legality of processing resulting from its consent before the withdrawal.

1.4.3. Old consents that were expressed in accordance with the conditions of GDPR shall remain valid. Other old consents shall be no longer valid, and if the purpose of processing still lasts, personal data shall be processed under another legal basis.

#### **1.5. Categories of personal data**

1.5.1. Processed data fall under (including, but not limited to) the following categories of personal data:

- a) **Identification, contact data:** needed, for example, for registration of entries to Ferroenergy property, in particular, title, name, surname, permanent address, temporary address, correspondence address, date of birth, nationality, identification card type and number;
- b) **Personnel agenda data:** for example, name, surname, date of birth, place of birth, nationality, personal identification number;
- c) **Data on wages and contribution payments:** for example, data on received and sent payments, payment slip related data, data needed for payments of contributions and taxes;
- d) **Health condition data:**
  - for needs of fulfillment of obligations resulting from legal regulations on occupational safety and health, injuries registration and investigation;
- e) **Operating data on the entries** of individual data subjects and on the period spent in the territory of USSK and inside the buildings of USSK and Ferroenergy, data on the motor vehicle of a natural person – non-entrepreneur;
- f) **Photograph and/or camera record;**
- g) **Data concerning access rights** (e.g., AD account, e-mail address) as well as data recorded during the use of filing systems and applications (electronic approval, confirmations – log ins, other operations, passwords, user names, etc.);
- h) **Accounting data:** for example, data on received and sent payments, bank account number;
- i) **Personal data necessary for Due Diligence execution.**

#### **1.6. Retention period**

1.6.1. Ferroenergy processes personal data for the duration of the purpose of processing and retains them, as a rule, for the retention period determined by applicable laws, the internal regulation – *Registry Order and Registry Plan, Archive and Scholastic Order*, by operational reasons, or by its legitimate interests.

#### **1.7. Data subjects**

1.7.1. **Data subjects** are, in particular:

- a) parties to legal relationships (contractual, judicial, etc.) with Ferroenergy;
- b) other entities under legal bases set forth by law (data subject consent, contract, or special law);
- c) members of statutory bodies, representatives and employees of business partners or their subcontractors, and companies that have on lease real property within Ferroenergy premises;
- d) natural persons under contracts between Controller and Processor;
- e) visitors.

**2. Processors /Third parties / Recipients**

- 2.1. Controller has the right (mainly under a written contract) to entrust a Processor with processing personal data. For the purpose of entrusting Processor with processing personal data, the consent of the data subject is not required.
- 2.2. The list of current Processors (including specification of cross-border transfer, where applicable) is available upon request at Director Procurement, Investment and Technical Development at the e-mail address [jnovak@sk.uss.com](mailto:jnovak@sk.uss.com).
- 2.3. For the provision of services, Processors can in specific cases (and after prior consent of Controller) use the services of a subcontractor and provide personal data to it. Where Processor engages another processor for carrying out specific processing activities on behalf of Controller, the same data protection obligations as set out in the contract or other legal act between Controller and Processor shall be imposed on that other processor by way of a contract or other legal act under Union or Member State law, in particular providing sufficient guarantees to implement appropriate technical and organizational measures in such a manner that the processing will meet the requirements of the Regulation. Where that other processor fails to fulfil its data protection obligations, the initial Processor shall remain fully liable to Controller for the performance of that other processor's obligations.
- 2.4. As Controller, Ferroenergy shall not provide personal data to third parties and shall not make them accessible to recipients, unless Controller (Ferroenergy) is obliged to provide these data to government authorities pursuant to specific laws – the Income Tax Act (Act No. 595/2003 Coll.), the Police Force Act (Act No. 171/1993 Coll.), the Act on Bailiffs and Distraints (Act No. 233/1995 Coll.), the Civil Procedure Code (Act No. 99/1963 Coll.), the Act on Banks (Act No. 483/2001 Coll.), and others.
- 2.5. In unique cases, Ferroenergy will also provide a limited scope of personal data to certain external entities (Ferroenergy business partners in relation to fulfillment of a business relation or a contract) or a relevant trade union organization pursuant to the provisions of Collective Agreement.

**3. Cross-border transfer**

- 3.1. In specific cases, mainly where the provision of services by Processor is involved, the cross-border personal data transfer takes place. The cross-border personal data transfer may only take place under the requirements and to the extent stipulated by applicable legal regulations. It only takes place once specified legal requirements are met, usually after conclusion of a contract on the processing and transfer of personal data.
- 3.2. The specified personal data processing operations are performed by means of applications provided by United States Steel Corporation as the parent company of Ferroenergy with the headquarters in the USA or by its subcontractors. When using specified applications, the cross-border transfer of personal data to the USA takes place. The access to such applications is also provided to selected employees of Ferroenergy's contracting partners for fulfillment of their contractual obligations towards Ferroenergy.

- 3.3. Also, with respect to the global nature of ownership of Ferroenergy, some personal data are transferred and are processed by United States Steel Corporation as Controller, mainly for the following reason:
- a) the so-called compliance agenda management (e.g., due diligence)
  - b) processing and access to data from reports to the so-called Ethics Line and their investigation performed mainly for the protection of legitimate interests of Ferroenergy and USS.
- 3.4. Cross-border transfer and processing is governed by the rules defined in the Contracts on personal data transfer and processing containing the so-called standard contractual clauses as they were created and adopted by the European Commission in order to guarantee an appropriate personal data protection level during their cross-border transfer or by other applicable sufficient guarantees to provide an appropriate personal data protection level.

#### 4. Data subject' rights

- 4.1. Data subjects shall have the right to request from Controller at a written request:
- 4.1.1. **A confirmation as to whether or not** personal data concerning him or her **are being processed** and, where that is the case, the data subject is **entitled to obtain access** to the following personal data and information:
- a) the purposes of the processing;
  - b) the categories of personal data concerned;
  - c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations;
  - d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
  - e) the existence of the right to request from Controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
  - f) right to lodge a complaint with a supervisory authority;
  - g) where the personal data are not collected from the data subject, any available information as to their source;
  - h) where personal data are transferred to a third country or to an international organization, the data subject shall have the right to be informed of the appropriate safeguards.
- 4.1.2. **Rectification or completion** of his or her incorrect, incomplete or outdated personal data that are the subject of processing by means of a supplementary declaration;
- 4.1.3. **Destruction or erasure** of personal data:
- a) that are no longer necessary for in relation to the purposes for which they were collected or otherwise processed;
  - b) where the data subject withdraws consent on which the processing is based and where there is no other legal ground for the processing;
  - c) where the data subject objects to the processing pursuant to Article 21(1) of GDPR and there are no overriding legitimate reasons for the processing, or the data subject objects to the processing pursuant to Article 21(2) of GDPR;
  - d) that have been unlawfully processed;
  - e) that have to be erased for compliance with a legal obligation in Union or Member State law to which Controller is subject.

This right shall not apply to the extent that processing is necessary: for exercising the right for freedom of expression and information; for compliance with a legal obligation which requires processing by Union or Member State law to which Controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in Controller; for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes; for the establishment, exercise or defense of legal claims.

- 4.1.4. The data subject shall have the right to obtain from Controller **restriction of processing** where one of the following applies:

- a) the accuracy of the personal data is contested by the data subject, for a period enabling Controller to verify the accuracy of the personal data;
- b) processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) Controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims;
- d) the data subject has objected to processing pursuant to Article 21(1) of GDPR pending the verification whether the legitimate grounds of Controller override those of the data subject.

Controller shall assess the objections listed above pursuant to applicable law.

- 4.1.5. Data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to Controller, in a structured, commonly used and machine-readable format and have the **right to transmit** those data to another controller hindrance from Controller to which the personal data have been provided, where:
- a) the processing is based on consent or on a contract; and
  - b) the processing is carried out by automated means.

In exercising his or her right for data portability, the data subject shall have the right to have the personal data transmitted directly from one Controller to another, where technically feasible.

- 4.1.6. The data subject shall have the right to **object**, on grounds relating to his or her particular situation, at any time **to processing of personal data** concerning him or her which is carried out on the legal basis – *the performance of a task carried out in the public interest or in exercise of official authority vested in Controller*, or for the legal basis – *processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party*, including profiling based on those provisions. Controller shall no longer process the personal data unless Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data or for the establishment, exercise or defense of legal claims.

**4.2.** The data subject can exercise its right:

- a) in the written form or electronically and from the content of its request it must become obvious that the data subject exercises its right, and what right is concerned;
- b) personally in the oral recorded form, whereas from the record it must become obvious who exercises the right, what he is seeking, when and who made the record, signature of the recorder and signature of the data subject; Controller shall hand over a copy of the record to the data subject;
- c) with Processor – pursuant to letter a) or letter b).

- 4.3.** In case of any questions related to personal data protection, the data subject can contact Director Procurement, Investment and Technical Development at the e-mail address [jnovak@sk.uss.com](mailto:jnovak@sk.uss.com), who will answer any questions related to the processing of his or her personal data, obligations resulting from applicable legal regulations in the area of personal data protection or questions on information contained in this document.

In case of any suspicion concerning a violation of personal data protection regulations, you can also make a notice using the Ethics Line of U. S. Steel:

Phone: +421 55,684 2289  
Internet: [www.ussteel.com/corp/EthicsLine](http://www.ussteel.com/corp/EthicsLine)  
Address: U. S. Steel Ethics line  
Vstupný areál U. S. Steel  
P.O. BOX 17  
044 54 Košice

- 4.4.** In case of suspicion that his or her personal data are unlawfully processed, the data subject can file a complaint with the supervisory authority – Office for Personal Data Protection of the Slovak Republic.

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- 4.5. If data subject has not full legal capacity, his or her rights may be exercised by his or her legal representative.
- 4.6. If data subject does not live, the rights that he or she had pursuant to the Act on Personal Data Protection may be exercised by his or her relatives.
- 4.7. Data subjects shall have the right to request the person authorized to collect personal data to produce a proof of identity.