Supplementary Data Protection Policy

Obligation to test for coronavirus and provide evidence of the test in the case of meetings in the buildings at Chemnitz University of Technology of at least two persons lasting longer than ten minutes, when using the university library, and when conducting and participating in classroom teaching and examinations at Chemnitz University of Technology, as well as in the case of employees and auxiliary staff who have not worked for at least five working days in succession due to vacation or comparable leave of absence from work or duty.

In addition to the general information on data processing by Chemnitz University of Technology (www.tu-chemnitz.de/tu/datenschutz.html), which must also be observed in this respect, this data protection statement informs you about the type, scope, and purpose of the processing of personal data in connection with compulsory testing or verification obligation regarding the coronavirus (testing, vaccination, or recovery verification in the sense of § 2 No. 2 26/27 COVID-19-Protective Measures-Exception Ordinance - SchAusnahmV) in the case of meetings in the buildings at Chemnitz University of Technology of at least two persons lasting longer than ten minutes, in the case of the use of the university library, in the case of the implementation of and participation in face-to-face teaching events and examinations at Chemnitz University of Technology within the meaning of § 26 para. 1 SächsCoronaSchVO from July 26, 2021, as well as in the case of employees and auxiliary staff who have not worked for at least five working days in succession due to vacation or a comparable leave of absence or leave from work, in the sense of § 9 para. 1a SächsCoronaSchVO from July 26, 2021. For reasons of better readability, the generic masculine form is generally used in the data protection statement. However, all personal designations naturally apply to all genders irrespective of this.

I. Name and Contact Data of Those Responsible

Chemnitz University of Technology (represented by the President: Prof. Dr. Gerd Strohmeier), Straße der Nationen 62, 09111 Chemnitz, Germany, E-Mail: rektor@tu-chemnitz.de, Phone: +49 371 531-10000, Fax: +49 371 531-10009, Web: www.tu-chemnitz.de. If you have any questions regarding this data protection declaration or the data processing operations associated with it, or if you wish to make use of the rights granted to you, please feel free to contact us at any time: Diana Schreiterer, Officer in the President’s Office (focus on university communication, marketing, and academic management), Phone: +49 371 531-35267, Fax: +49 371 531-835267, E-Mail: kontakt-corona@verwaltung.tu-chemnitz.de, Straße der Nationen 62, 09111 Chemnitz, Room: 1/184B (new: A10.184.2).

II. Contact Data of the Data Protection Officer

Gernot Kirchner, Data Protection Officer at Chemnitz University of Technology, Straße der Nationen 62, 09111 Chemnitz, Germany, e-mail: datenschutzbeauftragter@tu-chemnitz.de, phone: +49 371 531-12030, fax: +49 371 531-12039, web: www.tu-chemnitz.de/rektorat/dsb/.

III. General Information on Data Processing

1. Scope and Purpose of the Processing of Personal Data

"Amongst the background of the continuously decreasing number of new infections and the progress of the vaccination program, additional opening is justifiable." “Although, in view of the spread especially of the virus variant B.1.617.2 (delta) and the more intensive infection occurrence in some states such as for example Great Britain or Portugal, it is indicated to bring including corresponding regulations […]” (Explanatory Memorandum to the Saxon Corona Protection Ordinance - SächsCoronaSchVO from 22 June 2021). In particular, indoor contacts must continue to be associated with comprehensive protective measures due to the increased risk of infection there. In the case of contacts with a particularly high risk of infection (e.g. at classroom events and approved in-person teaching events and examinations within the meaning of Section 26 (1) of the SächsCoronaSchVO), Chemnitz University of Technology has therefore ordered that the conduction of and participation in meetings in the buildings at Chemnitz University of Technology by at least two people lasting longer than ten minutes, the use of the university library, and participation in the above-mentioned approved classroom teaching events and examinations requires a daily negative test for the presence of an infection with SARS-CoV-2 in the sense of § 2 No. 7 SchAusnahmV. In addition, employees and auxiliary staff who have not worked for at least five working days in succession due to vacations or comparable leaves of absence from duty or work are required, in accordance with Section 9 (1a) of the SächsCoronaSchVO as amended on July 26, 2021, to present a daily negative test certificate on the first working day after the interruption of work before or at the start of work in the office or at other places of work outside their own homes. Alternatively, proof of vaccination or convalescence as defined in § 2 No. 5 SchAusnahmV must be carried or provided in each case. In order to provide proof, it is sufficient to grant access to the test certificate in the sense of § 2 No. 7 SchAusnahmV or alternatively to the vaccination certificate in the sense of § 2 No. 4 and 3 SchAusnahmV or to the convalescence certificate in the sense of § 2 No. 4 and 5 SchAusnahmV, in order to be able to participate in the respective approved classroom teaching and examinations or in the above-mentioned meetings or to use the university library (§ 9 Para. 8 SächsCoronaSchVO). In this context, Chemnitz University of Technology does not process any data beyond the mere visual inspection/acquisition of knowledge (e.g. no storage or documentation of test results, etc.). In the case that employees are present at Chemnitz University of Technology for the purpose of carrying out approved attendance courses and examinations, there is usually no control of the corresponding proof (e.g. by supervisors); in the case of the use of the university library, however, a visual control is carried out by employees of the university library. Employees are, however, required to comply with the regulations and to carry a corresponding certificate with them when taking in-person courses and examinations at Chemnitz University of Technology. The situation is different when returning to Chemnitz University of Technology or to other places of employment after a work interruption of at least five working days in a row due to vacation or comparable leaves of absence: Employees and support staff are instructed to carry appropriate proof (daily negative test result, proof of vaccination, or proof of convalescence) with them on the first workday following this work interruption. Supervisors or persons authorized by them are entitled to carry out a visual inspection of the corresponding proof. Here too, in accordance with the previous regulation, no data processing beyond the mere visual inspection/recognition takes place.

2. Legal Basis for the Processing of Personal Data

The legal basis for the provision of evidence by means of inspection of the test, vaccination, or convalescence certificate within the meaning of § 2 no. 2-7 SchAusnahmV is Art. 6 para. 1 p. 1 lit. e) DSGVO or Art. 9 para. 2 lit. g) DSGVO in conjunction with § 26 para. 1 SächsCoronaSchVO i.V.m. Hygiene Guidelines at Chemnitz University of Technology, version 1.9.3 (July 30, 2021), the additional special instructions for the implementation of classroom teaching, version 1.8 (July 30, 2021), the additional special instructions for the implementation of (written) classroom examinations, version 1.8 (July 30, 2021), the additional special instructions for conducting meetings etc. in presence, version 1.7 (July 30, 2021), and the use of the University Library, version 2.9 (August 16, 2021).

The legal basis for providing evidence by means of inspection of the test, vaccination, or convalescence certificate within the meaning of § 2 No. 2-7 SchAusnahmV is, in the case of § 9 para. 1a SächsCoronaSchVO, Art. 6 para. 1 p. 1 lit. c) DSGVO or Art. 9 para. 2 lit. b) DSGVO in conjunction with § 9 Art. 9 para. 1a SächsCoronaSchVO. The SächsCoronaSchVO from 26 July 2021 shall cease to apply at the end of 25 August 2021. This means that the controller may no longer process your data on this basis as of 26 August 2021. The Saxony State Ministry for Social Affairs and Social Cohesion will decide on any extension of the SächsCoronaSchVO.

3. Storage Period (Data Deletion - Storage Limitation)

The personal data processed by us will be used and stored exclusively within the scope of access control. Storage of the data (e.g. in the form of a copy, documentation of the test results, etc.) is expressly not carried out.

4. Recipients of Personal Data

The processing of personal data is only carried out by the following natural/legal persons: the respective person in charge of the approved attendance course or examination, the respective person in charge at Chemnitz University of Technology in the case of meetings of at least two persons lasting longer than ten minutes in the building(s) of the university, the employees of the university library in the case of the use of the interlibrary loan and lending facilities, the use of the open access department and the workstations as well as the subject supervisor or persons appointed by them or, if these are not on site or available, to the higher-level structural unit (dean’s office, department, etc.), or if this is also not possible, to the department of personnel in the case of the provision of evidence in accordance with § 9 para 1a SächsCoronaSchVO. Personal data will not be passed on to third parties not named here, nor will it be transferred to another EU country or to a third country or to an international organization.

5. Legal/Contractual Requirements for the Provision of Personal Data and Consequences of Non-Provision.
We hereby further inform you that the provision of personal data for the above-mentioned purpose is required by law and that you are obliged to provide the personal data. Failure to provide your personal data for the above-mentioned purpose will mean that you will not be able to participate in the event or examination in question or the relevant meeting in the buildings at Chemnitz University of Technology.

IV. Rights of the Data Subject
If your personal data is processed, you are a data subject within the meaning of the GDPR, so that you are entitled to the following rights vis-à-vis Chemnitz University of Technology (responsible party) if the relevant requirements are met: Right to information, Right to rectification, Right to erasure, Right to restriction of processing, Right to information in case of disclosure, Right to data portability, Right to object, Right to not exclusively automated decision. To assert your rights against Chemnitz University of Technology or if you have further queries regarding data protection, you can contact us at any time.

1. Right to Complain to a Supervisory Authority
Without prejudice to any other legal remedy, you have the right to lodge a complaint with a supervisory authority if you believe that the processing of personal data concerning you violates applicable data protection provisions. The competent supervisory authority in the Free State of Saxony is pursuant to Art. 51 DSGVO in conjunction with. §§ 14 ff. SachsDSDG: Saxon Data Protection Commissioner, Andreas Schurig, Devrientstraße 5, 01067 Dresden, Web: www.saechsdsb.de, E-Mail: saechsdsb@slt.sachsen.de, Phone: 0351/85471-101, Fax: 0351/85471-109.

2 Additional Information Concerning Your Rights
You can find more detailed information about your rights as a data subject at the following link: www.tu-chemnitz.de/tu/datenschutz.html.

V. Up-to-dateness of this privacy policy
This privacy policy is currently valid as of August 16, 2021.