

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, when staying in and using the university library, and when conducting and participating in classroom teaching and examinations at Chemnitz University of Technology, as well as when employers and employees (auxiliary staff included) enter the workplace.

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. 2-7 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, in the case of the stay and 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 § 15 para. 4 SächsCoronaNotVO as amended by the announcement of February 22, 2022, as well as when employers and employees (auxiliary staff included) enter the workplace as defined in § 28b No. 1 IfSG as amended on November 22, 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@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

"Despite all efforts, this pandemic is not over. The number of new infections with the SARS-CoV2 virus as well as the number of hospitalised persons and bed occupancies in hospitals are currently increasing at a high rate. [...] In the meantime, the occupancy rate of hospital beds in normal wards clearly exceeds the occupancy rate relevant for the overload level of the Saxon Corona Protection Ordinance of 5 November 2021. [...] In some counties and independent cities there is already a shortage of hospital beds. [...] A further uncontrolled increase in infections and the resulting bed occupancy threatens to lead to triage in the hospitals. The ultimate goal is to break the rising tide of infections. [...] In addition to vaccination, further protective measures that go well beyond the protective measures taken so far are imperative due to this currently existing emergency situation. -The aim of this regulation is to reduce the number of new infections by temporarily tightening and expanding the existing protective measures, to minimise contacts by restricting areas of life that are prone to infection, and thus to slow down the dynamics of the infection." (Explanatory Memorandum to the Saxon Corona Emergency Ordinance - SächsCoronaNotVO from November 19, 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 approved in-person teaching events and examinations within the meaning of § 15 para. 4 SächsCoronaNotVO), it is therefore regulated by law that employers and employees are not permitted to enter the buildings of Chemnitz University of Technology in accordance with § 28b para. 1 IfSG as amended on November 22, 2021 and for participation in the above-mentioned approved attendance events and examinations in accordance with § 15 para. 4 SächsCoronaNotVO in the version of the announcement dated February 22, 2022 requires proof of vaccination, proof of convalescence or a daily negative test result in the sense of § 2 No. 2-7 SchAusnahmV as amended on December 10, 2021. To provide proof, it is sufficient to grant access to the test certificate within the meaning of § 2 No. 7 SchAusnahmV or alternatively to the vaccination certificate within the meaning of § 2 No. 2 and 3 SchAusnahmV or to the convalescent certificate within the meaning of § 2 No. 4 and 5 SchAusnahmV. Employers are obliged to document the provision of proof in accordance with § 28b IfSG. Information on the respective submission and the individual vaccination, convalescence or test status of employees (incl. auxiliaries) is consequently stored and processed in accordance with § 28b para. 3 IfSG for six months, but no longer than until March 19, 2022 - after which it is deleted. In the case of the provision of evidence of participation in approved classroom teaching events and examinations in accordance with § 15 para. 4 SächsCoronaNotVO, no data processing beyond the mere visual inspection/acquisition of knowledge is carried out by the Chemnitz University of Technology (e.g., no storage or documentation of test results, etc.).

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 § 15 para. 4 SächsCoronaSchVO i.V.m. Hygiene Guidelines at Chemnitz University of Technology, version 1.9.4 (January 14, 2022), the additional special instructions for the implementation of classroom teaching, version 1.9.1 (January 14, 2022), the additional special instructions for the implementation of (written) classroom examinations, version 1.9. (September 22, 2021), the additional special instructions for conducting meetings etc. in presence, version 1.9.2 (January 14, 2022), and the use of the University Library, version 2.4 (January 14, 2022).

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 employers and employees (auxiliary staff included) Art. 6 para. 1 p. 1 lit. c) DSGVO or Art. 9 para. 2 lit. b) DSGVO in conjunction with § Art. 28b para. 1 IfSG. The SächsCoronaNotVO from February 22, 2022 shall cease to apply at the end of February 3, 2022. This means that the controller may no longer process your data on this basis as of February 4, 2022. The Saxon State Ministry for Social Affairs and Social Cohesion will decide on any extension of the SächsCoronaNotVO.

3. Storage Period (Data Deletion - Storage Limitation)

The personal data processed by us in accordance with § 28b para. 1 IfSG are stored and processed in accordance with § 28b para. 3 IfSG for six months, but no longer than until March 19, 2022 - after which it will be deleted by the respective supervisor or the person appointed by the supervisor. The personal data processed by us in accordance with § 15 para. 4 SächsCoronaNotVO will be viewed and noted 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 in accordance with § 15 para. 4 SächsCoronaNotVO, the respective person in charge at Chemnitz University of Technology in the case of meetings of at least two persons in the buildings of the university, the employees of the university library in the case of the stay and use of the university library, 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 § 28b para. 1 IfSG. 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. SächsDSGD: Saxon Data Protection Commissioner, Dr. Juliane Hundert, 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 February 28, 2022.