
Privacy Notice – WITOS Paving Transport

Data controller & data protection officer

The data controller is

JOSEPH VÖGELE AG (“Vögele”, “we”)

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By completing the application form below, you can exercise your rights at any time:

[Request to exercise data subject rights](#)

You can also contact our data protection officer at any time. Ideally e-mail:

datenschutz@voegele.info

Introduction

This privacy notice explains what data we collect with the WITOS Paving Transport app, how we use them and pass them on and what rights you have in connection with the use of WITOS Paving Transport. We keep your personal data confidential and handle them in line with statutory data protection regulations and this data privacy notice.

Please note that if you are using our products as an end-user (e.g. as an employee or machine operator) for one of our customers or one of their subcontractors (“your company”), then your company, as well as ourselves, is responsible for data processing in conjunction with WITOS Paving.

We collect, store and process your personal data only to the extent to which it is necessary to fulfil our contractual services for your company; this contractually guarantees us an adequate legal basis.

Information collected by WITOS Paving Transport

WITOS Paving Transport collects information which may enable you to be indirectly identified.

Data about the tractor unit and the WITOS Paving order

- The number plate of the truck (tractor unit)
 - The WITOS Paving order number
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We record the number plate of the truck and the WITOS Paving order number in order to be able to assign your delivery to the respective asphalt paving order.

Location data

- Current location information for the mobile device

We collect your location data cyclically in order to be able to display your current location and provisional arrival time to users of WITOS Paving. We furthermore use the location to report your arrival at the construction site or mixing plant automatically (geofencing).

We also collect location data if WITOS Paving Transport has an active WITOS Paving order running in the background. We do not record your device location if WITOS Paving Transport is not being used/if you are not logged in for an order.

As the collection of location data is the primary function of WITOS Paving Transport, it is not possible to use WITOS Paving Transport without the device location being collected.

Technical information and log files

We temporarily store information about your mobile device from which we derive technical information used to correct errors and improve our products. This technical information includes device and network information, reports of system crashes, log files and analysis data.

Order data processing

We have an order data processing agreement with the service-providers involved in the WITOS system and implement the terms of the General Data Protection Regulation (GDPR).

How WITOS Paving uses the information

To provide services

We use the data collected by WITOS Paving Transport to deliver the services within WITOS Paving including the option

- to display current truck position on a map
 - on the construction site
 - at the mixing plant
 - in the contractor's office
 - in the WITOS Paving Transport app itself
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- to calculate a target arrival time and an estimated actual time of arrival (ETA= Estimated Time of Arrival) at the construction site and the mixing plant.
- to record approximate arrival and departure time and to amend the status of the truck at the construction site and mixing plant by comparing your location data with the position of the paver/mixing plant (geofencing).
- to combine approximate arrival and departure times, delivery note data and other manually recorded status information (e.g. start and finish of unloading) in order to be able to display the quality of both supply and acceptance of deliveries.

Location data are used exclusively for the purposes outlined above. We do not store any truck data permanently, e.g. in order to determine how far trucks have travelled.

To improve our services

We also use the data we collect in order to analyse, develop and improve our services. To achieve this, Joseph Vögele may use third-parties to find out how our services are used and to support our efforts to improve our services. Data we collect for these purposes are erased automatically and stored only temporarily.

Your rights relating to the processing of personal data

We would like to inform you of your rights relating to the processing of your personal data. If you have any questions about your rights or wish to exercise your rights with regard to us, please contact our data protection officer at datenschutz@voegele.info or at the above-mentioned address for the attention of the "Data protection officer".

Withdrawing your consent (Art. 7 (3) GDPR)

If you have given your express consent to the processing of your personal data, you may withdraw it at any time. Withdrawal of consent does not affect the lawfulness of any processing undertaken on the basis of consent up to the point of withdrawal. You will be informed about this right to withdraw before you give your consent.

Right to information (Art. 15 GDPR)

You have the right to demand confirmation from us as to whether we process personal data concerning you. If this is the case, you have the right to information about such personal data. If personal data are transmitted to a third country or to an international organisation, you furthermore have the right to be informed of the appropriate safeguards to ensure that recipients comply with the terms of GDPR.

Right to rectification (Art. 16 GDPR)

You can ask us to rectify immediately any incorrect data concerning you. Taking into account the purposes of processing, you also have the right to demand that incomplete personal data are completed – also by means of providing a supplementary statement.

Right to erasure/the right "to be forgotten" (Art. 17 GDPR)

You have the right to demand that your data are erased immediately if one of the following grounds applies:

- data are no longer necessary for the purposes for which they were collected or otherwise processed,
- you have withdrawn your consent and there is no other legal basis for processing,
- you object to processing pursuant to Art. 21 (1) GDPR for reasons resulting from your particular situation and there are no compelling legitimate grounds for processing,
- you object to processing for direct marketing in accordance with Art. 21 (2) GDPR,
- the data have been processed unlawfully,
- erasure of the data is required for compliance with a legal requirement in Union or German law,
- the data were collected directly in conjunction with an offer of information society services to a child, Art. 8 (1) GDPR.

We will accommodate the request for erasure unless we are legally required or entitled to continue storing and processing your data. We are furthermore entitled to continue storing your data if we would be unable to establish, exercise or defend legal claims without them.

Right to restriction of processing (Art. 18 GDPR)

According to Art. 18 GDPR we may process data to only a restricted extent in the following cases where:

- you contest the accuracy of your data - until we can verify its accuracy,
 - processing is unlawful and you oppose the erasure of the data and instead demand restriction on its use,
 - we no longer need the data for the purposes of processing, but you need them to establish, exercise or defend legal claims or
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- you object to processing pursuant to Art. 21 (1) sentence 2 GDPR on grounds resulting from your particular situation where it is not yet clear whether our justified grounds for processing outweigh your interests.

Where processing is restricted, we may only store these data. In this case, continued processing is permitted only with your consent or for the purposes of establishing, exercising or defending legal claims or to protect the rights of another natural or legal person or on grounds of the greater public interest of the Union or of a Member State. You can withdraw your consent in this regard at any time. We will inform you before the restriction is lifted.

Notification obligation (Art. 19 GDPR)

Please note that we have a duty to communicate any rectification or erasure of your data or restriction of processing to each recipient to whom data have been disclosed. This does not apply if such communication proves impossible or involves disproportionate effort.

We will inform you of these recipients if you ask us to.

Right to data portability (Art. 20 GDPR)

You have the right to receive in a structured, commonly used and machine-readable format any data concerning you which you provided to us. You furthermore have the right to have us transmit those data to a third party in certain cases. However, this right must not adversely affect the rights and freedoms of others, including our company. If this is the case, we are entitled to oppose the disclosure or transmission of your data.

Right to object (Art. 21 GDPR)

You have the right to object on grounds relating to your particular situation to us processing your data based on justified interest (Art. 6 (1) point (f) GDPR). This also applies to profiling based on those provisions. In this case, we will stop processing your data unless we can demonstrate compelling legitimate grounds for processing which must outweigh your interests, rights and freedoms or else processing serves to establish, exercise or defend legal claims.

Right to lodge complaints with a supervisory authority (Art. 77 GDPR)

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, your place of work or the place of the alleged infringement if you consider that the processing of the data concerning you infringes the GDPR.

March 2024
