



## **INFORMATION NOTICE ON THE PROCESSING, PROTECTION, SHARING, AND DESTRUCTION OF PERSONAL DATA OF EMPLOYEES AND SUPPLIERS UNDER THE PERSONAL DATA PROTECTION LAW (PDPL) OF 6698 BY ÜSKÜDAR UNIVERSITY**

### **1) INTRODUCTION**

According to Article 20 of the Constitution, “Everyone has the right to request the protection of his/her personal data. This right includes being informed of, having access to and requesting the correction and deletion of his/her personal data, and to be informed whether these are used in consistency with envisaged objectives. Personal data can be processed only in cases envisaged by law or by the person’s explicit consent. The principles and procedures regarding the protection of personal data shall be laid down in law.” Within the framework of this imperative provision of the Constitution, the Personal Data Protection Law (PDPL) No. 6698 was published in the Official Gazette on April 7, 2016, and entered into force, and subsidiary legislation such as regulations and board decisions have been issued for the application of the law. The aforementioned law aims to protect the fundamental rights and freedoms of individuals, particularly the privacy of private life, in the processing of personal data. It also regulates the obligations of natural and legal persons who process personal data and the procedures and principles to be followed.

### **2) PDPL IMPLEMENTATION, CLARIFICATION, AND INFORMATION**

**Your rights and obligations under the PDPL are outlined within this form for your information.**

**As a "data controller," Üsküdar University (“University”)** may process the personal data of employees, employee candidates, and third parties holding the status of suppliers within the scope described in this Form. Employees also carry out their duties within the framework of this Information Notice and in accordance with PDPL and its subsidiary legislation concerning service recipients and/or other business-related individuals or organizations (“Data Subjects”). Employees must comply with the obligations and responsibilities regarding the protection of the personal data of these “Data Subjects.”

For third parties, including employees or candidates and suppliers, the Notification on Information and Illumination within the Scope of the Personal Data Protection Law No. 6698 (“Notification”) is also applicable.

As the “data controller,” the University will register with the VERBIS system by appointing a data contact person. The University's adaptation and application processes under the PDPL and relevant legislation are coordinated through the Personal Data Protection Committee (PDPL Committee). This committee ensures the implementation, monitoring, and revision of necessary procedures and principles. Any personal data processed contrary to the rights, obligations, and responsibilities of employees, employee candidates, and suppliers will be addressed by the University per the PDPL and its subsidiary legislation. Any such data processing identified must immediately be reported by employees to the PDPL Committee, and the Committee’s instructions must be followed.

**All employees across the University must comply with PDPL and its subsidiary legislation to fulfill the legal responsibilities arising from this Form. They must cooperate with the Personal Data Protection Committee to prevent risks and dangers and adhere to the directives issued by the Committee.**



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**This Form will be accessible at all times through shared information systems and the University's website.** Updates and changes to the Form will also be posted promptly on these platforms to ensure that data subjects are informed of the principles stipulated herein. The Personal Data Protection Committee will manage the announcement processes for any modifications.

In the event of any conflict between this Form and the provisions of applicable legislation, the University, as the Data Controller, agrees to enforce the legislation.

### **A) DEFINITIONS UNDER THE PDPL**

- a) Explicit consent: Consent given on a specific issue, based on being informed and freely expressed.
- b) Anonymization: Rendering personal data incapable of being associated with an identified or identifiable person, even by matching with other data.
- c) Data subject: The natural person whose personal data is processed.
- d) Processing of Personal Data: Refers to any operation performed on personal data, whether fully or partially by automated means or by non-automated means that form part of a data recording system, including but not limited to obtaining, recording, storing, preserving, modifying, reorganizing, disclosing, transferring, taking over, making available, classifying, or preventing the use of personal data.
- e) Special Categories of Personal Data: Refers to personal data concerning an individual's race, ethnic origin, political opinions, philosophical beliefs, religion, sect, or other beliefs, appearance and attire, membership in associations, foundations, or trade unions, health, sexual life, criminal convictions, and security measures, as well as biometric and genetic data.
- f) Data Processor: Refers to a natural or legal person who processes personal data on behalf of the data controller based on the authority granted by the data controller.
- g) Data Controller: Refers to a natural or legal person who determines the purposes and means of processing personal data and is responsible for the establishment and management of the data recording system.

### **B) FUNDAMENTAL PRINCIPLES OF PERSONAL DATA PROCESSING**

Üsküdar University, in both its internal and external procedures, acknowledges with this form that it will process personal data in accordance with the principles specified in Article 4 of the Law on the Protection of Personal Data ("PDPL"):

- **Compliance with the law and the rules of honesty**
- **Accuracy and currency of data**
- **Processing for specific, explicit, and legitimate purposes**
- **Processing data in a manner that is relevant, limited, and proportionate to the purposes for which they are processed**
- **Retaining data only for the duration stipulated by relevant legislation or as required for the purposes for which they are processed**



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### C) CONDITIONS FOR PROCESSING PERSONAL DATA

In compliance with Article 5 of the PDPL, Üsküdar University conducts personal data processing activities in accordance with the following conditions stipulated by the PDPL and related regulations:

- Obtaining the explicit consent of the data subject
- Processing is necessary to comply with legal obligations
- Processing is required to protect the life or physical integrity of the data subject or another person where the data subject is incapable of giving consent due to actual impossibility or legal invalidity
- Processing is necessary for the establishment or performance of a contract to which the data subject is a party
- Processing is mandatory for the data controller to fulfill its legal obligations
- Processing concerns personal data that has been made public by the data subject
- Processing is mandatory for the establishment, exercise, or protection of a right
- Processing is necessary for the legitimate interests of the data controller, provided it does not harm the fundamental rights and freedoms of the data subject

### D) CONDITIONS FOR PROCESSING SPECIAL CATEGORIES OF PERSONAL DATA

Pursuant to Article 6 of the PDPL, personal data related to an individual's ethnic origin, political opinions, philosophical beliefs, religion, sect, or other beliefs, appearance and attire, membership in associations, foundations, or trade unions, health, sexual life, criminal convictions, and security measures, as well as biometric and genetic data, are considered special categories of personal data. It is forbidden to process sensitive personal data without the explicit consent of the person concerned. **It is the fundamental principle that Üsküdar University employees "do not process sensitive data" in terms of personal data, and the processing of such data without explicit consent is strictly prohibited. Üsküdar University adheres to the fundamental principle of not processing special categories of personal data concerning its employees,** except for the legal exceptions and obligations set forth below. **The primary rule of refraining from processing such data includes the following exceptions:**

**Processing Special Categories of Personal Data with Explicit Consent:** The processing of special categories of personal data is subject to the provisions stipulated by the PDPL when explicit consent is obtained.

**Processing Special Categories of Personal Data Without Explicit Consent:** In cases where the processing of special categories of personal data is stipulated by legal provisions, personal data other than those related to an individual's health and sexual life may be processed in accordance with PDPL. Such processing activities carried out by the University are limited to the requirements of the relevant legal provision. With regard to Üsküdar University, these requirements and limits are related to the merits of the relevant legal process and limited to the submission of sensitive personal data to legal processes, particularly in legal processes such as lawsuits and enforcement proceedings arising from the legal relationship, especially contracts, and the involvement of sensitive personal data collected by law enforcement authorities, investigative authorities, courts ex officio or by the parties or third parties in legal processes, and in the retention of personal data for the period required for the processing of personal data in the legal processes. Furthermore, it also includes all legislation that stipulates administrative and penal sanctions in case of non-processing, especially the Higher Education legislation, the relevant provisions of the labor law legislation, especially the Labor Law, the



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legislation stipulating the responsibility of the University regarding public order and security, or due to the legal requirements within the framework of the CoHE legislation, and without prejudice to other legal provisions that do not result in explicit consent processing.

**Processing Special Categories of Personal Data Related to Health and Sexual Life for the Purpose of Conducting Preventive Medicine, Medical Diagnosis, Treatment, and Care Services, as well as Planning and Managing Health Services and Financing, Subject to Confidentiality Obligations:** Under the PDPL, the processing of special categories of personal data concerning an individual's health and sexual life **is contingent upon the individual's explicit consent**. In the absence of such consent, these personal data may only be processed for the purposes of conducting preventive medicine, medical diagnosis, treatment, and care services, as well as planning and managing health services and financing, provided that the data is handled by persons bound by confidentiality obligations. In this regard, without prejudice to legal requirements that do not depend on explicit consent, particularly the Occupational Health and Safety Legislation, the Labor Law, other legislation regulating labor law, and the Higher Education Legislation, as well as legal obligations related to public order and safety, the processing of special categories of data related to health and sexual life is only carried out with explicit consent.

**Measures to Be Taken in Processing Special Categories of Personal Data:** To ensure the secure processing of special categories of personal data, the PDPL mandates the implementation of necessary technical and administrative measures, including encrypted access to prevent unauthorized access and cyberattacks. These measures are monitored and coordinated by the Personal Data Protection Board. Employees are obligated to comply with these administrative and technical measures.

### E) PURPOSES OF PROCESSING PERSONAL DATA

The personal data collected may be processed for the following purposes, in compliance with the conditions for processing personal data specified in Articles 5 and 6 of the Law No. 6698:

- Ensuring the legal and commercial security of our university and individuals in a business relationship with our university; determining and implementing the academic processes and business strategies of our university,
- Accreditation and evaluation activities of our university,
- Within the scope of fulfilling and improving our university's obligations related to occupational health and safety:
  - Creating emergency lists and conducting emergency operations,
  - Creating emergency analysis reports, performing occupational accident examinations,
  - Conducting an employment examination,
  - Carrying out the processes related to obtaining a health report from the workplace physician,
  - If you give your consent, position changes are made according to your determined health status and in this way, you are provided with job positions that are suitable for your health.
- Within the scope of ensuring the execution of our university's human resources policies:
  - Maintaining and developing effective employee management in line with the objectives of the contract you have concluded with our university,



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SHARING, AND DESTRUCTION OF PERSONAL DATA OF EMPLOYEES  
AND SUPPLIERS UNDER THE PERSONAL DATA PROTECTION LAW  
(PDPL) OF 6698 BY ÜSKÜDAR UNIVERSITY**

- Audit of performance processes,
- Following the termination of your employment relationship with the university, improving our human resources processes through exit interview forms that you will fill out depending on your preference,
- Making overseas assignments,
- Creating your personnel file and maintaining disciplinary records and resumes submitted before the study,
- Requirements and registrations arising from internal regulations,
- Collection of the reasons for the disease reports,
- Managing the power of attorney and signature circular processes to be carried out within the scope of representation and assignment within and outside the university,
- Execution of event management, in-house training, promotion and corporate communication activities,
- Within the scope of ensuring that the University fulfills its obligations arising from other legislation, grouping according to your characteristics in order to notify public institutions:
- If you give your consent, carrying out life insurance and health insurance operations, -
- Managing personalized advance and loan processes,
- Execution of performance evaluation processes

**F) TO WHOM AND FOR WHAT PURPOSE THE PROCESSED PERSONAL DATA MAY BE TRANSFERRED**

The collected personal data may be transferred, to the extent permitted and required by the PDPL and related regulations, and in accordance with the circumstances of the situation, but not limited to the following purposes: ensuring effective employee management and development, fulfilling contractual obligations, facilitating administrative actions required by law, interdepartmental referrals and information provision, evaluating employee performance, ensuring and improving workplace safety, and ensuring the legal and commercial security of our university and individuals in a business relationship with our university. Personal data may also be transferred to determine and implement the business strategies of our university. These transfers may be made to institutions and organizations authorized by laws such as the Higher Education Law, the Labor Law, the Occupational Health and Safety Law, the Social Insurance and General Health Insurance Law, the Law on the Regulation of Publications Made on the Internet and Combating Crimes Committed through These Publications, the Turkish Commercial Code, the Tax Procedure Law, the Personal Data Protection Law No. 6698, and other related legislation. These may include institutions such as the Personal Data Protection Authority, the Council of Higher Education, the Ministry of Finance, the Ministry of Customs and Trade, the Ministry of Labor and Social Security, and the Information and Communication Technologies Authority. As ÜSKÜDAR UNIVERSITY, the personal data we collect may be shared with our program partner organizations, both domestic and international, as well as other third parties with whom we have contractual agreements and cooperate, for the purpose of carrying out our activities. These entities are jointly and severally responsible with us for taking necessary workplace security measures, such as ensuring the safekeeping of your personal data, preventing unauthorized access, and preventing unlawful processing, as stipulated in Articles 8 and 9 of the Law No. 6698. The sharing of your personal data will be limited to the conditions and purposes of data processing specified in these articles."



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### **G) METHODS AND LEGAL REASONS FOR COLLECTING PERSONAL DATA**

Your personal data is collected by ÜSKÜDAR UNIVERSITY through various channels and based on different legal grounds for the purposes of implementing and executing ÜSKÜDAR UNIVERSITY's human resources policies. The personal data collected during recruitment and throughout the continuation of the employment contract are processed for the purposes of effective employee management and development, fulfilling contractual obligations, evaluating employee performance, ensuring and improving workplace safety, and operating and managing our activities. The legal basis for such collection and processing is in line with the personal data processing conditions and purposes outlined in Articles 5 and 6 of Law No. 6698. The collected personal data may also be processed and transferred for the purposes specified in Sections (E) and (F) of this disclosure and consent form.

### **H) TRANSFER OF PERSONAL DATA**

Article 8 of the Law on the Protection of Personal Data (PDPL) regulates the transfer of personal data to third parties within the country. As a general rule, personal data cannot be transferred to third parties without the explicit consent of the data subject. Our employees have been made aware through this Form that, as a rule, personal data of CONTACTS cannot be transferred to third parties. The processes for transferring personal data will comply with the criteria below. Ensuring that all legal provisions regarding the transfer of personal data are followed and that the transfer processes are adapted to the provisions of the applicable or future legal regulations is the responsibility of ÜSKÜDAR UNIVERSITY, and these processes will be monitored and coordinated by the Personal Data Protection Board.

For the transfer of personal data, the explicit consent of the data subject must be obtained as required by Article 8 of the PDPL. If consent is provided, personal data may be shared with organizations involved in joint activities, publishing and media outlets, promotional content on the internet, and other legitimate purposes, proportionally and in accordance with the law, with third parties. Even if the data subject does not provide explicit consent, personal data may be transferred if the conditions for processing data are met in accordance with the legal provisions. In cases where the data subject does not provide explicit consent for the transfer of personal data within the country, the transfer of personal data to third parties is possible if the conditions set out in Article 5, paragraph 2, and with the necessary precautions under Article 6, paragraph 3 of the PDPL are met. ÜSKÜDAR UNIVERSITY may transfer personal data to third parties in accordance with Article 5, paragraph 2, and Article 6, paragraph 3 of the PDPL, provided the necessary measures are in place. Even without explicit consent, personal data may be transferred if the required conditions and legal provisions are met, including the transfer of sensitive personal data, excluding health and sexual life. The transfer of sensitive personal data to third parties is possible even without explicit consent, as long as it is foreseen in the legal provisions. Third parties to whom sensitive personal data is transferred must also implement the necessary measures. The identification and coordination of the required measures during the transfer process are carried out under the supervision of the relevant department and the Personal Data Protection Board.



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### I) TRANSFER OF PERSONAL DATA ABROAD

According to Article 9 of the PDPL, personal data cannot be transferred abroad without the explicit consent of the data subject. If consent is given, personal data may be shared with our foreign affiliates for legitimate purposes related to educational activities, in proportion to the need, and in accordance with the secure country list to be published by the Data Protection Board.

If the data subject does not provide explicit consent for the transfer of personal data abroad, personal data may still be transferred if the processing and transfer conditions permitted under the PDPL, and relevant legislation are met.

### J) DELETION, DESTRUCTION, AND ANONYMIZATION OF PERSONAL DATA

**Even if personal data is processed in accordance with the PDPL and other relevant legal provisions and this form, when the reasons for processing the data cease to exist, the data must be deleted, destroyed, or anonymized upon the request of the data subject or by the University itself.** The University will provide the necessary administrative and technical infrastructure to comply with all existing or future legal provisions regarding the deletion, destruction, or anonymization of data. Employees are obliged to apply all relevant legal provisions regarding the deletion, destruction, or anonymization of data, both currently in force and future ones.

### K) RIGHTS OF PERSONAL DATA OWNERS

As personal data owners, you can submit your requests regarding your rights by completing the "Personal Data Information and Request Form" provided below and delivering it, signed in person, to the address of the University with which you have established an employment relationship as personnel, candidate, former personnel, or supplier. Alternatively, you may send it via a notary public, send an email signed with your secure electronic signature, or send a Word or PDF document signed with your secure electronic signature to [kisiselveri@uskudar.edu.tr](mailto:kisiselveri@uskudar.edu.tr). **Üsküdar University** will conclude your request free of charge as soon as possible and within a maximum of thirty days, depending on the nature of the request. However, if the process incurs an additional cost apart from free legal obligations, the fee specified in the tariff determined by the Personal Data Protection Board may be charged by **Üsküdar University**.

Within this scope, personal data owners may:

- To learn whether personal data is processed or not,
- If personal data has been processed, requesting information about it,
- To learn the purpose of processing personal data and whether they are used in accordance with their purpose,
- To know the third parties to whom personal data is transferred in the country or abroad,
- Requesting correction of personal data in case of incomplete or incorrect processing and requesting notification of the transaction made within this scope to third parties to whom personal data has been transferred,
- Although it has been processed in accordance with the provisions of Law No. 6698 and other relevant laws, to request the deletion or destruction of personal data in the event that the reasons requiring its processing disappear, and to request the notification of the



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SHARING, AND DESTRUCTION OF PERSONAL DATA OF EMPLOYEES  
AND SUPPLIERS UNDER THE PERSONAL DATA PROTECTION LAW  
(PDPL) OF 6698 BY ÜSKÜDAR UNIVERSITY**

transaction made within this scope to the third parties to whom the personal data has been transferred,

- Objecting to the occurrence of a result against the person himself by analyzing the processed data exclusively through automated systems,
- In case of damage due to unlawful processing of personal data, they have the right to demand the compensation of the damage.

Annex: Under the Personal Data Protection Law (PDPL), Information Request Form

Respectfully submitted for your information.

**Üsküdar University** Altunizade Mah. Üniversite Sk. No:14 PK:34662 Üsküdar / İstanbul / Türkiye