

IOTECH YAZILIM	POLICY ON PROCESSING OF SPECIAL DATA	Doc. Number	POL.13
		Release Date	02.01.2024
		Rev. Number	00
		Rev. Date	--

POLICY ON PROCESSING OF SPECIAL DATA

1. Purpose

This policy has been created to define the processes related to the processing and security of Special Categories of Personal Data as specified in the Personal Data Protection Law No. 6698 (Law).

2. Scope

In accordance with Article 6, paragraph 4 of the Law, data controllers are obligated to take adequate measures determined by the Board when processing special categories of personal data.

This policy covers the processes related to the processing and security of special categories of personal data, in compliance with the decision of the Personal Data Protection Board regarding the "Adequate Measures to be Taken by Data Controllers in the Processing of Special Categories of Personal Data," published in the Official Gazette dated 07.03.2018 and numbered 30353.

3. Principles For The Processing of Special Categories of Personal Data

Article 6 of the Law defines certain personal data, which, if processed unlawfully, may cause the victimization or discrimination of individuals, as "special categories of personal data."

Special categories of personal data include data related to an individual's race, ethnic origin, political opinions, philosophical beliefs, religion, sect or other beliefs, appearance and attire, membership to associations, foundations or trade unions, health, sexual life, criminal convictions, and security measures, as well as biometric and genetic data.

3.1 Processing of Special Categories of Personal Data

When processing personal data categorized as "special categories" by the Law, IOTECH Software, Industry and Trade Inc. acts with the utmost sensitivity to comply with the regulations specified in the Law. Special categories of personal data are processed under the following conditions, provided that adequate measures determined by the Personal Data Protection Board are taken:

- Special categories of personal data related to health and sexual life are processed only with the explicit consent of the data subject.
- Special categories of personal data other than health and sexual life are processed if it is stipulated by laws or with the explicit consent of the data subject.

The conditions for processing special categories of personal data are as follows:

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Data Type	Processing Condition	Example
Special categories of personal data related to health and sexual life	Explicit consent of the data subject	Obtaining explicit consent of the individual for evaluating maternity leave, fitness for work reports, birth reports, and breastfeeding leave petitions specified in the Labor Law.
Special categories of personal data other than health and sexual life	Explicit consent of the data subject or if stipulated by laws (Tax Laws, Labor Law No. 4857, Turkish Commercial Code)	Including an employee's criminal record in the personnel file as required by the Labor Law No. 4857.

In IOTECH Software, Industry and Trade Inc. special categories of personal data related to employees are processed by the unit conducting Human Resources services. Special categories of personal data included in identity documents of individuals or their employees/representatives with whom IOTECH Software, Industry and Trade Inc. has contractual or commercial relationships are processed for purposes such as:

- Conducting processes related to obtaining health reports,
- Making position changes according to the identified health status and providing job positions suitable for employees' health,
- Intervening without delay in case of situations that may affect the health of other employees,
- Complying with information retention, reporting, and notification obligations stipulated by regulations, relevant regulatory authorities, and other authorities,
- Creating personnel files.

These data include:

- Special categories of personal data included in identity documents,
- Laboratory test reports,
- Birth report,
- Sick leave and incapacity reports,
- Psychotechnical report,
- Disability report,
- Social Security Institution (SGK) report,
- SGK leave documents,
- Blood type document,
- Health report for employment,
- Civil Society Organization membership document,
- Additional health screening test reports (Laboratory findings, physical examination results, medical history, etc.),
- Personal health information,
- Criminal conviction data (criminal record).

These are recorded and stored by the unit conducting Human Resources activities.

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3.2. Ensuring The Security of Special Categories of Personal Data

As a data controller, IOTECH Software, Industry and Trade Inc. is committed to taking the following measures for special categories of personal data:

A. The security of special categories of personal data is ensured according to this policy.

B. Regarding the processes involving the processing of special categories of personal data:

- Employees involved in these processes are regularly trained on the Law, related regulations, and the security of special categories of personal data.
- Confidentiality agreements are made.
- The authority scopes and durations for users with access to data are defined.
- Periodic authority checks are performed.
- Authorities of employees who change positions or leave the job are immediately revoked.

C. If the environments where special categories of personal data are processed, stored, and/or accessed are electronic:

- Personal Data is stored using cryptographic methods.
- Cryptographic keys are kept secure and in different environments.
- All activities performed on Personal Data are securely logged.
- Security updates for the environments where Personal Data is located are continuously monitored, necessary security tests are regularly conducted, and test results are recorded.
- If Personal Data is accessed via software, user authorizations for this software are defined, security tests for the software are regularly conducted, and test results are recorded.
- If remote access to Personal Data is required, at least a two-factor authentication system is implemented.

D. If the environments where special categories of personal data are processed, stored, and/or accessed are physical:

- Adequate security measures (against electrical leakage, fire, flooding, theft, etc.) are taken according to the nature of the environment where special categories of personal data are located.
- The physical security of these environments is ensured to prevent unauthorized access.

E. If special categories of personal data need to be transferred:

- If Personal Data needs to be transferred via email, it is transferred encrypted via a corporate email address.
- If it needs to be transferred via portable memory, CD, DVD, etc., it is encrypted using cryptographic methods, and the cryptographic key is kept in a different environment.
- If transferring between servers located in different physical environments, data transfer is conducted by establishing a VPN or using the FTP method.
- If Personal Data needs to be transferred via paper, necessary precautions are taken against risks such as the theft, loss, or viewing by unauthorized persons, and the document is sent in "Confidential" format.

F. In addition to the above measures, technical and administrative measures specified in our general policy on the Protection of Personal Data are also implemented.