



## **European Union (EU) General Data Protection Regulation (GDPR) Privacy Notice - for candidates located in, residing in, or citizens of EU countries-**

### **SCOPE AND OVERVIEW**

Acuity International LLC ("Acuity") is committed to protecting the privacy and security of your personal data as required by the EU General Data Protection Regulation (GDPR). This Privacy Notice describes how Acuity International and its subsidiaries, affiliates, and related entities (collectively, "Acuity International," "we," or "us") collect and process personal data about you during your application for employment. This Privacy Notice applies to candidates for employment only. This privacy notice applies to candidates located in, residing in, or citizens of European Union countries.

This Privacy Notice describes the categories of personal data that we collect, how we use your personal data, how we secure your personal data, when we may disclose your personal data to third parties, and when we may transfer your personal data outside of your home jurisdiction. This Privacy Notice also describes your rights regarding the personal data that we hold about you including how you can access, correct, and request erasure of your personal data.

We will only process your personal data in accordance with this Privacy Notice unless otherwise required by applicable law. We take steps to ensure that the personal data that we collect about you is adequate, relevant, not excessive, and processed for limited purposes.

### **COLLECTION OF PERSONAL DATA**

For purposes of this Privacy Notice, personal data means any information about an identifiable individual. Personal data excludes anonymous or de-identified data that is not associated with a particular individual. To carry out our activities and obligations as an employer, we may collect, store, and process the following categories of personal data, which we require to administer the application process with you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Government identification numbers such as social insurance or other national insurance number, driver's license number, or other identification card number
- Wage and benefit information
- Compensation history
- Education and training
- Employment application records (including professional memberships, references, work history, and proof of work eligibility)
- Photograph
- Other personal details included in a resume or cover letter or that you otherwise voluntarily provide to us

The personal data listed in this notice is mandatory in order for us to administer the application process. Failure to provide or allow us to process mandatory personal data may affect our ability to accomplish the purposes stated in this Privacy Notice.

### **USE OF PERSONAL DATA**

We only process your personal data where applicable law permits or requires it, including where the processing is necessary for the performance of our application process with you, where the processing is necessary to comply with a legal obligation that applies to us as your prospective employer, for our



legitimate interests or the legitimate interests of third parties, to protect your vital interests, or with your consent if applicable law requires consent. We may process your personal data for the following legitimate business purposes:

- Employment application processing and screening
- Business management and planning
- Assessing qualifications for a particular job or task
- Complying with applicable law
- Education, training, and development requirements

We will only process your personal data for the purposes we collected it for or for compatible purposes. If we need to process your personal data for an incompatible purpose, we will provide notice to you and, if required by law, seek your consent. We may process your personal data without your knowledge or consent where required by applicable law or regulation.

We may also process your personal data for our own legitimate interests, including for the following purposes:

- To prevent fraud
- To ensure network and information security, including preventing unauthorized access to our computer and electronic communications systems and preventing malicious software distribution
- To support internal administration with our affiliated entities you will not be subject to decisions based on automated data processing without your prior consent

#### **COLLECTION AND USE OF SPECIAL CATEGORIES OF PERSONAL DATA**

The following special categories of personal data are considered sensitive under the laws of your jurisdiction and may receive special protection:

- Race or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Data concerning health
- Data concerning sex life or sexual orientation
- Data relating to criminal convictions and offenses

We may collect and process the following special categories of personal data when you voluntarily provide them for the following legitimate business purposes, to carry out our obligations under employment laws, or as applicable law otherwise permits:

- Trade union membership information to pay trade union premiums
- Physical or mental health condition or disability status in order to comply with health and safety obligations in the workplace, to make appropriate workplace accommodations, as part of sickness absence monitoring, and to administer benefits
- Race or ethnic origin, religious affiliation, health information, and sexual orientation to ensure meaningful equal opportunity monitoring and reporting
- Criminal convictions and offenses to evaluate fitness for a particular position

Where we have a legitimate need to process special categories of personal data for purposes not identified above, we will only do so only after providing you with notice and, if required by law, obtaining your prior, express consent.



## **DATA SHARING**

We will only disclose your personal data to third parties where required by law or to our employees, contractors, designated agents, or third-party service providers who require such information to assist us with administering the employment application process with you, including third-party service providers who provide services to us or on our behalf. These third-party service providers may be located outside of your home jurisdiction.

We require all our third-party service providers, by written contract, to implement appropriate security measures to protect your personal data consistent with our policies and any data security obligations applicable to us as your employer. We do not permit our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes in accordance with our instructions.

We may also disclose your personal data for the following additional purposes where permitted or required by applicable law:

- To other members of our group of companies (including outside of your home jurisdiction) for the purposes set out in this Privacy Notice and as necessary to perform our employment contract with you
- As part of our regular reporting activities to other members of our group of companies
- To comply with legal obligations or valid legal processes such as search warrants, subpoenas, or court orders. When we disclose your personal data to comply with a legal obligation or legal process, we will take reasonable steps to ensure that we only disclose the minimum personal data necessary for the specific purpose and circumstances.
- To protect the rights and property of Acuity
- During emergency situations or where necessary to protect the safety of persons
- Where the personal data is publicly available
- If a business transfer or change in ownership occurs
- For additional purposes with your consent where such consent is required by law

## **CROSS-BORDER DATA TRANSFERS**

Where permitted by applicable law, we may transfer the personal data we collect about you to the United States and other jurisdictions that may not be deemed to provide the same level of data protection as your home country, as necessary for the purposes set out in this Privacy Notice. If you are located in an EU country, we have implemented adequate safeguards to secure the transfer of your personal data to the United States and other jurisdictions.

## **DATA SECURITY**

We have implemented appropriate physical, technical, and organizational security measures designed to secure your personal data against accidental loss and unauthorized access, use, alteration, or disclosure. In addition, we limit access to personal data to those employees, agents, contractors, and other third parties that have a legitimate business need for such access.

## **DATA RETENTION**

Except as otherwise permitted or required by applicable law or regulation, we will only retain your personal data for as long as necessary to fulfill the purposes we collected it for, as required to satisfy any legal, accounting, or reporting obligations, or as necessary to resolve disputes. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes we process your personal data for and whether we can achieve those purposes through other means, and applicable legal requirements.



Following the conclusion of your employment application process, we will typically retain personal data for the periods set out below, subject to any exceptional circumstances or to comply with laws or regulations that require a specific retention period:

- General application process file documents: seven (7) years
- Personal data held in archived e-mails or other electronic files: seven (7) years

Under some circumstances we may anonymize your personal data so that it can no longer be associated with you. We reserve the right to use such anonymous and de-identified data for any legitimate business purpose without further notice to you or your consent. Once you are no longer a candidate of the company, we will retain and securely destroy your personal data in accordance with our document retention policy and applicable laws and regulations.

### **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND OBJECTION**

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your application process. By law you may have the right to request access to, correct, and erase the personal data that we hold about you, or object to the processing of your personal data under certain circumstances. You may also have the right to request that we transfer your personal data to another party. If you want to review, verify, correct, or request erasure of your personal data, object to the processing of your personal data, or request that we transfer a copy of your personal data to another party, please contact us at [humanresources@Acuityinternational.com](mailto:humanresources@Acuityinternational.com). Any such communication must be in writing.

We may request specific information from you to help us confirm your identity and your right to access, and to provide you with the personal data that we hold about you or make your requested changes. Applicable law may allow or require us to refuse to provide you with access to some or all of the personal data that we hold about you, or we may have destroyed, erased, or made your personal data anonymous in accordance with our record retention obligations and practices. If we cannot provide you with access to your personal data, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

### **RIGHT TO WITHDRAW CONSENT**

Where you have provided your consent to the collection, processing, and transfer of your personal data, you may have the legal right to withdraw your consent under certain circumstances. To withdraw your consent, if applicable, contact the Data Protection Officer (see below).

### **DATA PROTECTION OFFICER**

We have appointed George Baker as our Data Protection Officer to oversee compliance with this Privacy Notice. If you have any questions about this Privacy Notice or how we handle your personal data or would like to request access to your personal data, please contact the Data Protection Officer at: [george.baker@Acuityinternational.com](mailto:george.baker@Acuityinternational.com). If you are unsatisfied with our response to any issues that you raise with the Data Protection Officer, you may have the right to make a complaint with the data protection authority in your home jurisdiction.

### **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this Privacy Notice at any time, and we will provide you with a new Privacy Notice when we make any updates. If we would like to use your previously collected personal data for different purposes than those we notified you about at the time of collection, we will provide you with notice and, where required by law, seek your consent, before using your personal data for a new or unrelated purpose. We may process your personal data without your knowledge or consent where required by applicable law or regulation.



**CONTACT US**

If you have any questions about our processing of your personal data or would like to make an access or other request, please contact the Data Protection Officer.

**Acknowledgment of Receipt and Consent**

By signing this agreement, I acknowledge that I received a copy of Acuity International Employee Privacy Notice and that I read and understood it. I consent to the collection, processing, storage, and transfer of my personal data in accordance with the EU GDPR Privacy Notice.

Effective Date: \_\_\_\_\_

Printed Full Name: \_\_\_\_\_

Signature: \_\_\_\_\_