

KING AND SPALDING

JOB APPLICANT, EMPLOYEE AND CONTRACTOR PRIVACY NOTICE (CALIFORNIA CONSUMER PRIVACY ACT OF 2018, AS AMENDED BY THE CALIFORNIA PRIVACY RIGHTS ACT OF 2020)

Effective Date of Job Applicant, Employee and Contractor Privacy Policy: March 31, 2023

Scope

This “Job Applicant, Employee and Contractor Privacy Notice” (“Notice”) describes how King & Spalding LLP (“Firm,” “we”, “us”, or “our”) collects, uses, and processes personal information of prospective candidates, (“Job Applicants”) current and past employees (“Employees”), and current and past contractors (“Contractors”) (collectively, “you” or “your”).

The Firm collects, processes, uses, discloses, and maintains records that contain personal information with respect to Job Applicants, Employees and Contractors in connection with their relationship with the Firm. This Notice describes our information use and privacy practices with respect to your employment, compensation, and benefit programs. The Notice informs you of the ways the Firm may use and disclose personal information about you, describes your rights, and the obligations the Firm has regarding the use and disclosure of your personal information. However, it does not address the privacy policies or practices of your third-party health care providers, administrators, or insurers.

This Notice applies to your use of our systems and platforms, including our IT infrastructure, as well as any other systems that we may own, control, or license for internal or external business purposes, such as Microsoft Outlook or Microsoft Teams (“Network”).

Our Pledge Regarding Employee Privacy

Firm policies are intended to help protect personal information, or information that identifies you or could be used to identify you, which you submit to the Firm on an employment application, payroll forms, or benefit enrollment forms. Employees are required to respect the privacy of all personal information, handle all such information with confidentiality and protect the personal information from unauthorized access. Your personal information will not be used or disclosed to third parties, except as described in this Notice or as otherwise permitted by law.

What is Personal Information?

Personal information is information that identifies you as an individual. It includes information including, but not limited to, your name, home address, home telephone number, social security number, driver’s license number, home e-mail address, employment history, disciplinary records, performance evaluations, medical information, bank account, and compensation.

What is Sensitive Personal Information (California Employees and Job Applicants)?

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Sensitive personal information is personal information that identifies you as an individual. It includes information including, but not limited to, your social security information, driver's license, state identification number, or passport number; account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; precise geolocation; racial or ethnic origin, religious or philosophical beliefs, or union membership; contents of mail, email, and text messages unless the business is the intended recipient of the communication; health information; sex life or sexual orientation, genetic information; or biometric information used to uniquely identify you.

Collection of Personal Information

We collect the following information about you:

Identifiers. This includes real name (e.g., maiden name, etc.), alias(es), date of birth, postal address, email address, IP address, online identifier, social security number,* driver's license number,* passport number,* or other similar identifier like a state identification card number.* In addition, we may collect your telephone number, including your mobile phone number, and the names and contact information of individuals you provide as an emergency contact.

Characteristics of protected classifications under state or federal law. This includes, age, race,* color,* national origin,* citizenship status, marital status, medical condition (including the condition of being pregnant)*, physical or mental disability, sex*, gender, sexual orientation,* and military or veteran status.

Professional or employment-related information. This includes educational and employment histories. This also includes information obtained during a background check, for example credit history, criminal record, civil actions in which you were involved, and past addresses.

*Communication contents.** This includes metadata, such as the time and date of the message and intended recipients, as well as the contents of your mail, email, or other messages sent through our Network.

Information described in California Civil Code § 1798.80. This includes (1) identifiers listed above; (2) professional or employment-related information listed above; (3) bank account information, including information related to 401(k) or similar financial accounts; (4) medical insurance information, including the names and identifiers of your dependent(s); and (5) life insurance or other similar insurance information, including the names and identifiers of your dependent(s).

The information marked with an asterisk (*) above is considered "sensitive personal information" under the California Consumer Privacy Act, as amended by the California Privacy Rights Act.

Use and Disclose of Your Personal Information

Personal information that we have collected from you will only be used for the specific purposes for which it was provided or obtained, or as authorized or required by law. Your personal

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information may be collected, used, and disclosed in the employment context for purposes that include but are not limited to the following:

- Carrying out pre-employment or engagement checks on Job Applicants and Contractors;
- Hiring of Job Applicants and Contractors;
- Monitoring and regulating Employee and Contractor performance;
- Evaluating Employee and Contractor conduct and conducting investigations into Employee and Contractor misconduct;
- Maintaining records related to you, reasonably appropriate to the nature of your relationship with the Firm;
- Terminating your relationship with the Firm; and
- Managing disputes, including litigating and settling claims related to you.

Special Use and Disclosure Situations

The Firm may also use or disclose your personal information under the following circumstances:

- In an emergency threatening an individual's life, health, or security (the Firm must inform the individual of the disclosure, albeit that such a disclosure may be made after such an event);
- To a lawyer, accountant, auditor, or other similar professional representing or working on behalf of the Firm to evaluate or manage the Firm's legal or financial rights or capabilities;
- To comply with a court or administrative order, a subpoena, warrant, discovery request, or other lawful due process;
- To provide assistance to a public body or law enforcement agency concerning an offense under federal or state law (i) to determine whether the offense has taken place, or (ii) to prepare for and manage the laying of a charge or the prosecution of the offense;
- To provide to an acquirer, successor, or assignee as part of any merger, acquisition, debt financing, sale of assets, or similar transaction, or assessment thereof, as well as in the event of an insolvency, bankruptcy, or receivership in which information is transferred to one or more third parties as one of our business assets;
- Otherwise if permitted or required by law.

Internal and Third-Party Disclosures:

- **Background Checks:** To protect the Firm's interests and the safety of Firm Employees and to ensure that the information reported on the employment application is verified in compliance with applicable regulations and insurance requirements, the Firm may engage a third-party provider to perform a background check on any Job Applicant following a verbal or written employment offer. The Firm takes steps to help ensure that background checks are performed in accordance with applicable law. Offers of employment are contingent upon the satisfactory completion of the background check.

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In addition, background checks may be performed at any time during the employment period, including situations when the Employee is being considered for promotional opportunities, or when working at a client's work location.

- **Employment Administration, Payroll Administration, Benefit Administration:** The Firm may disclose your personal information to designated Firm personnel so they can carry out their Firm-related administrative functions, including the uses and disclosures described in this Notice. Such disclosures will be made only for the purposes of managing the employment of the Employee / engagement of the Contractor. We have taken steps to ensure that these individuals will protect the privacy of your personal information and ensure it is used only as described in this Notice or as permitted by law.
- **To a Service Provider:** Certain services are provided to the Firm by service providers. For example, the Firm may input information about your compensation into a payroll processing system maintained by the Firm's service provider so your compensation may be paid. In so doing, the Firm will disclose your personal information to its service provider so it can perform its payment function. However, the Firm will require its service providers, through contract, to safeguard your personal information appropriately and to limit the use of your personal information to use in connection with their provision of services only.
- **To a third party Contractor:** Certain services are provided to the Firm by contractors, to whom the Firm makes available your personal information for a business purpose, pursuant to a written contract with the Firm. For example, the Firm allows a contractor to access to an information system that contains personal information for auditing, maintenance, quality assurance, or security purposes. The contractor does not process your personal information, but it may have access to it while providing these services. However, the Firm will require its contractors, through contract and certification, to safeguard your personal information appropriately and to limit the use of your personal information to use in connection with their provision of services only.

Your Rights Regarding Personal Information About You

Residents of California have the right to: (1) know what personal information we collect, use, disclose, and sell; (2) request that we delete your personal information; (3) access and obtain a copy of your personal information that we collect; (4) request correction of inaccurate personal information; (5) opt out of selling and sharing of your personal information; (6) limit the use and disclosure of certain sensitive personal information, and (7) not to be subject to discrimination. We will honor your request to the extent required by applicable law and will make a good faith effort to honor your request in all other cases. To exercise your rights, please Sara Bittle at sbittle@kslaw.com. If you disagree with our response to your request, you may appeal the request by submitting supporting documentation to Chris Jackson at cjackson@kslaw.com.

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You will not be penalized or retaliated against for exercising the above rights or filing a complaint.

Changes to this Notice

The Firm reserves the right to change this Notice at any time and effective for personal information the Firm already has about you, as well as any personal information the Firm receives in the future. The Firm will post a copy of the current Notice for view by all Job Applicants, Employees and Contractors.

Your Personal Information after Separation

In the event of your separation from the Firm, we will continue to protect your personal information and will use and disclose the information only for the specific purposes for which it was obtained. Your personal information will be retained for such time after separation as is required for the purposes for which we collected it, or for as long as we are required to keep it to comply with the law.

Contact Information

All requests, questions, or concerns around this Notice should be directed to Sara Bittle at sbittle@kslaw.com, or your immediate supervisor. The Firm will make every attempt to accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.