

# **Liberty Diversified International, Inc.**

## **Privacy Notice for California Employees, Contractors, and Job Applicants**

Last updated: December 21, 2022

Liberty Diversified International, Inc. and its subsidiaries and affiliates (“LDI,” “we,” or “us”) understands the importance of privacy to our job applicants, employees, and contractors, and takes our responsibility to protect their information seriously. Pursuant to the California Consumer Privacy Act, as may be amended from time to time (“CCPA”), this privacy notice (the “Notice”) explains our online and offline practices regarding the collection, use, and disclosure of “personal information” of employees, contractors, and job applicants who reside in California. Some of the personal information we collect may be exempt from some or all of the requirements under the CCPA. Please read this Notice carefully so you understand our practices regarding your information.

### **Information We Collect and Disclose**

As defined by the CCPA, “personal information” includes any information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device. Personal information does not include information that is:

- Lawfully made available from government records;
- We have a reasonable basis to believe is lawfully made available to the general public by the consumer or from widely distributed media, or by the consumer;
- Made available by a person to whom the consumer has disclosed the information if the consumer has not restricted the information to a specific audience;
- Lawfully obtained, truthful information that is a matter of public concern;
- Deidentified or aggregate consumer information; or
- Information excluded from the CCPA’s scope, including personal information covered by certain sector-specific privacy laws such as the Fair Credit Reporting Act.

In the past 12 months, LDI has collected the following categories of personal information from consumers acting as an employee, contractor, or job applicant of LDI and disclosed such information to the following categories of third parties for business purposes.

Category	Examples	Categories of Third Parties to Whom Disclosed
Identifiers.	<p>A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.</p>	<ul style="list-style-type: none"> <li>• IT and cloud/hosting service providers, such as our email providers, business application providers, managed services providers, and IT consultants</li> <li>• Financial institutions and payment processors</li> <li>• Vendors that perform background checks and other Human Resources services</li> <li>• Benefits providers</li> <li>• Retirement/pension providers</li> <li>• Service providers conducting employee training</li> <li>• Professional advisors (accountants, lawyers, consultants, and auditors)</li> <li>• Former employers and references of our employees, contractors, and job applicants</li> </ul>
<p>Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</p>	<p>A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.</p> <p>Some personal information included in this category may overlap with other categories.</p>	<ul style="list-style-type: none"> <li>• IT and cloud/hosting service providers, such as our email providers, business application providers, managed services providers, and IT consultants</li> <li>• Financial institutions and payment processors</li> <li>• Vendors that perform background checks and other Human Resources services</li> <li>• Benefits providers</li> <li>• Retirement/pension providers</li> <li>• Service providers conducting employee training</li> <li>• Professional advisors (accountants, lawyers, consultants, and auditors)</li> </ul>

		<ul style="list-style-type: none"> <li>Former employers and references of our employees, contractors, and job applicants</li> </ul>
Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	<ul style="list-style-type: none"> <li>IT and cloud/hosting service providers, such as our email providers, business application providers, managed services providers, and IT consultants</li> <li>Vendors that perform background checks and other Human Resources services</li> <li>Benefits providers</li> <li>Professional advisors (accountants, lawyers, consultants, and auditors)</li> </ul>
Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	<ul style="list-style-type: none"> <li>IT and cloud/hosting service providers, such as our email providers, business application providers, managed services providers, and IT consultants</li> </ul>
Internet or other similar network activity.	Browsing history, search history, information on a employee's interaction with a website, application, or advertisement.	<ul style="list-style-type: none"> <li>IT and cloud/hosting service providers, such as our email providers, business application providers, managed services providers, and IT consultants</li> </ul>
Geolocation data.	Physical location or movements.	<ul style="list-style-type: none"> <li>IT and cloud/hosting service providers, such as our email providers, business application providers, managed services providers, and IT consultants</li> </ul>
Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	<ul style="list-style-type: none"> <li>IT and cloud/hosting service providers, such as our email providers, business application providers, managed services providers, and IT consultants</li> </ul>
Professional or	Current or past job history or performance evaluations.	<ul style="list-style-type: none"> <li>IT and cloud/hosting service providers, such as our email</li> </ul>

employment-related information.		providers, business application providers, managed services providers, and IT consultants <ul style="list-style-type: none"> <li>• Vendors that perform background checks and other Human Resources services</li> </ul>
Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	<ul style="list-style-type: none"> <li>• IT and cloud/hosting service providers, such as our email providers, business application providers, managed services providers, and IT consultants</li> <li>• Vendors that perform background checks and other Human Resources services</li> <li>• Professional advisors (accountants, lawyers, consultants, and auditors)</li> </ul>
Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	<ul style="list-style-type: none"> <li>• IT and cloud/hosting service providers, such as our email providers, business application providers, managed services providers, and IT consultants</li> <li>• Vendors that perform background checks and other Human Resources services</li> <li>• Professional advisors (accountants, lawyers, consultants, and auditors)</li> </ul>

LDI is an equal employment opportunity employer and does not discriminate against applicants or employees based on gender, race, color, creed, religion, sex, pregnancy, national origin, marital status, disability, age, sexual orientation, disability, genetic information or testing, HIV-positive status, veteran's status or military status, or any other status protected by applicable federal, state or local law.

**Collection of Personal Information**

LDI collects the above-identified categories of personal information from the following sources:

- **Direct collection:** We collect information directly from you when you choose to provide it to us by filling out forms, performing your job duties, or otherwise directly providing the information to us.

- Third-Parties: We collect information about you from third parties who support our Human Resources and employee benefits services, including recruitment agencies, wellness and insurance vendors.
- Indirect and technology-based collection: We also collect certain information from you indirectly when you use the devices we provide to you or otherwise access our network, websites, or mobile applications. LDI collects certain identifiers (such as IP addresses) and internet and similar network activity (such as website usage data) from you indirectly using cookie, pixels, and passive tracking technologies.

### **Use of Personal Information**

LDI may use the personal information we collect from employees, contractors, and job applicants for one or more of the following business or commercial purposes, consistent with and only as permitted by applicable law:

- To consider job applicants for current and potential future employment opportunities and assess their skills, qualifications, and interests against our career opportunities. (Please note we only use background information as permitted by applicable law.)
- To evaluate job applicants' employment application, corroborating the information contained in the application and any supporting documents, and (where applicable) conducting employment related screening and background checks.
- To schedule job applicants for interviews and communicate with them about their application and employment opportunities.
- For all employment-related purposes, including (but not limited to): (i) administration and coordination of benefits; (ii) payroll and reimbursement; (iii) performance reviews, promotions, disciplinary actions, and other Human Resource functions; (iv) to administer and facilitate employees' performance of their job duties; and (v) any other employment-related purpose.
- Fulfilling employment agreements with LDI.
- To process employee work-related claims (e.g., worker compensation, insurance claims, etc.).
- To establish training and/or development requirements.
- To assess qualifications for a particular job or task.
- To gather evidence for disciplinary action or termination.
- To establish a contact point in the event of an emergency (such as next of kin).
- To comply with applicable labor or employment statutes, regulations and legal process.
- To keep records of our interactions and communications with job applicants, employees and contractors.
- To negotiate and perform any contracts with contractors.
- To compile directories.

- To ensure the security of company-held information.
- To fulfill or meet the reason you provided the information.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- To protect our operations, rights, privacy, safety or property, or that of our affiliates, employees, or other parties.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- For such other purposes as are reasonably required by LDI.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of LDI's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding.

LDI will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

### **Disclosure of Personal Information**

As indicated above, we may share some of the personal information with third-party vendors as necessary for our business purposes. For example, such vendors could include the agencies we use to conduct pre-employment screening (such as background checks and drug screening). From time to time, LDI may be required to disclose your information to governmental authorities for the purpose of complying with applicable laws and regulations or in response to legal process.

### **Applicable Retention Periods**

For each category of personal information identified above, we will retain your personal information only for as long as necessary to fulfill your requests or the purposes for which it was obtained, as set forth in this Notice. The criteria used to determine our retention periods include (i) to fulfill the purpose for which the information was collected, (ii) for as long as we have an ongoing relationship with you, and (iii) as required by a legal obligation to which we are subject.

### **Sensitive Personal Information**

LDI does not collect “sensitive personal information” (as defined by the CCPA) for the purposes of inferring characteristics about California consumers. Accordingly, LDI treats such information as “personal information” consistent with applicable provisions of the CCPA.

### **Sale or Sharing of Personal Information**

As noted above, in the past 12 months, LDI has not “sold” any categories of personal information or “shared” any such information for the purposes of cross-context behavioral advertising. Likewise, [Company] does not have actual knowledge of any sales or sharing of personal information regarding minors under 16 years of age.

### **Your Rights Under the CCPA**

The CCPA provides California residents with the rights discussed below. For convenience, and as required by the CCPA, we explain how you can exercise those rights, to the extent they are applicable.

1. Right to Request Information. You have the right to request that we disclose certain information about our collection and use of your personal information during the past twelve (12) months. Specifically, you may request that we disclose:
  - The categories of personal information we collected about you;
  - The categories of sources for the personal information we collected about you;
  - The business and commercial purposes for collecting your personal information;
  - The categories of third parties to whom we disclose your personal information;
  - The specific pieces of personal information we collected about you; and
  - If we disclosed your personal information for a business purpose, the categories of personal information received by each category of third party.
  
2. Right to Data Portability. You have the right to request that we provide copies of the specific pieces of personal information we collected about you. If a verifiable consumer request is made, and subject to any exceptions or limitations under the CCPA, we will take steps to deliver the personal information to you either by mail or electronically. If we provide the information to you electronically, it will be in a portable and readily useable format, to the extent technically feasible. Consistent with the CCPA and our interest in the security of your personal information, we will describe but may not provide copies of certain personal information we may receive from you (e.g., driver's license number, other government-issued identification number, financial account number, health or medical identification number, account password, or security questions or answers) in response to a CCPA request, to the extent any of those items are in our possession.
  
3. Right to Request Deletion. You have the right to request that we delete personal information we collected from you, subject to any exceptions or limitations under the CCPA.
  
4. Right to Correct Inaccurate Information. If we maintain inaccurate personal information about you, you have the right to request that we correct that inaccurate personal information, taking into account the nature of the personal information and the purposes of the processing of the personal information.
  
5. Right to Opt-Out. Consumers in California have the right to opt-out of (1) the sharing of their personal information for the purposes of cross-context behavioral advertising (as defined in the CCPA), or (2) the sale of personal information. Because LDI does not process "sell" or "share" personal information, these rights are not available.

## **Exercising Your Rights to Request Information, Data Portability, Request Deletion, or Correct Inaccurate Information**

To exercise the rights described above, you—or someone authorized to act on your behalf—must submit a verifiable consumer request to us by sending an e-mail to: [legal@libertydiversified.com](mailto:legal@libertydiversified.com) with the subject line: “CCPA Request” or calling us at 1-800-421-1270. Your request must include your name, e-mail address, mailing address, phone number, the nature of your inquiry and the context in which we may have received your information. If you are an agent submitting a request on behalf of a consumer, we may request that you submit a signed permission from the consumer authorizing you to make the request. In order to protect the privacy and data security of consumers, the verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative of such consumer; and
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

As indicated above, please be aware that the CCPA provides certain limitations and exceptions to the foregoing rights, which may result in us denying or limiting our response to your request.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. We will only use personal information provided in a verifiable consumer request to verify the requestor’s identity or authority to make the request. We may also request that you provide additional information if needed to verify your identity or authority to make the request. We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you or the consumer on whose behalf you are making the request.

### **Response Timing and Format**

The CCPA requires us to respond to a verifiable consumer request within forty-five (45) days of its receipt; however, we may extend that period by an additional 45 days. If we require more time, we will inform you of the reason and extension period in writing. We will deliver our written response via e-mail. Any disclosures we provide will only cover the 12-month period preceding the receipt of the verifiable consumer request, provided that you may request disclosure beyond the 12-month period as permitted by the CCPA. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select the format of our response; the format will be readily useable and should allow you to transmit the information from one entity to another. We will not charge a fee to process or respond to a verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing the request.

### **Our Commitment Not to Discriminate**

We will not discriminate or retaliate against an employee, contractor, or job applicant for exercising their rights under the CCPA, including by denying you benefits or services that we make available, charging you different prices or rates for services or benefits, providing a



different level or quality of services or benefits, or suggesting that you may receive a different price or level of quality of services or benefits.

**Contact Information**

Questions regarding this privacy Notice, our use and disclosure your information, or the application and recruitment process should be directed to:

**Phone:** 1-800-421-1270

**Email:** [legal@libertydiversified.com](mailto:legal@libertydiversified.com)

**Postal Address:**

Liberty Diversified International, Inc.

Attn: Legal Department

5600 North Highway 169

Minneapolis, MN 55428

**Effective Date:** January 1, 2020