

California Employment and Independent Contractor Privacy Notice

* *Applicable ONLY to California, U.S.A. residents who HAVE APPLIED or MAY APPLY for a position with AGC Flat Glass North America, Inc. d/b/a Electronics Americas.*

This California Employment and Independent Contractor Privacy Notice (“Privacy Notice”) specifically applies to California, U.S.A. residents. For the purpose of this California specific Privacy Notice, residents include individuals who: (i) have applied or may apply for a position at AGC Flat Glass North America, Inc. d/b/a Electronics Americas (“AGC”); (ii) are current or former AGC employees; (iii) are beneficiaries or emergency contacts of a current or former AGC employees, and/or receive benefits through AGC employees such as health insurance; or (iv) are independent contractors performing services for AGC (collectively, “HR Related Persons”). If you provide Personal Information of another person (e.g., beneficiary or emergency contact), then you are responsible for providing this Privacy Notice to that individual.

We adopt this Privacy Notice to comply with the California Consumer Privacy Act of 2018 (CCPA) and the California Privacy Rights Act of 2020 (CPRA), as amended (collectively, “CPRA”) and any terms defined in the CPRA have the same meanings when used in this Privacy Notice.

The Privacy Policy and this Privacy Notice describe the particular types of data or information AGC may collect about you that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with you (“Personal Information”).

Information We Collect and How We Use It.

As a part of the pre-employment, employment or contractor-related activities, we may need to collect and use your Personal Information to establish, manage, terminate, or otherwise administer the relationship. AGC plans to collect or has collected (where noted) the following categories of Personal Information from HR Related Persons within the last twelve (12) months:

Categories of Personal Information Collected	Purposes for which Personal Information is Used.
<p><u>Identifiers and Contact Information.</u> This category includes names, addresses, telephone numbers, mobile numbers, email addresses, dates of birth, Social Security numbers, driver’s license or state identification numbers, passport numbers, bank account information, credit card numbers, dependent and beneficiary information (names, dates of birth, Social Security numbers) and other similar contact information and identifiers.</p>	<ul style="list-style-type: none"> • Collect and process employment applications, including confirming eligibility for employment, background and related checks, and onboarding, including the verification of references and qualifications • Processing payroll and employee benefit plan and program administration including enrollment and claims handling • Maintaining personnel records and record retention requirements • Communicating with employees and/or employees’ emergency contacts and plan beneficiaries • Complying with applicable state and federal labor, employment, tax, benefits, workers’ compensation, disability, equal employment opportunity, workplace safety, and related laws • Ensuring employee performance and adherence to AGC policies and procedures • Investigating complaints, grievances, and suspected violations of applicable law and AGC policies and procedures • Establish, manage, terminate or otherwise administer the HR Related Person relationship • Provide training, development, and promotion opportunities • Compile directories and telephone lists • Make the necessary applications to obtain visas or other permits for work related travel • Fulfill such other business purposes as reasonably determined by AGC
<p><u>Protected Classification Information.</u> This category includes characteristics of protected classifications under California or federal law, including 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), sexual orientation, and/or veteran or military</p>	<ul style="list-style-type: none"> • Complying with applicable state and federal labor, employment, disability, equal employment opportunity, and related laws • Design, implement, and promote AGC support programs and initiatives • Investigate complaints, grievances, and suspected violations of applicable law and AGC policies and procedures • Manage and administer the relationship with HR Related Persons including review and

<p>status.</p>	<p>assessment of accommodations</p> <ul style="list-style-type: none"> • Make the necessary applications to obtain visas or other permits for work related travel • Processing payroll and employee benefit plan and program administration including enrollment and claims handling
<p><u>Internet or Other Electronic Network Activity Information.</u> This category includes without limitation:</p> <ul style="list-style-type: none"> • all activity on AGC’s information systems, such as internet browsing history activity, search history, intranet activity, email communications, social media postings, stored documents and emails, usernames and passwords • all activity on communications systems including phone calls, call logs, voice mails, text messages, chat logs, app use, mobile browsing and search history, mobile email communications, and other • information regarding an HR Related Person’s use of AGC-issued devices or equipment 	<ul style="list-style-type: none"> • Facilitate the efficient and secure use of AGC’s information systems • Ensure compliance with AGC’s security, data, and information systems policies and procedures • Complying with applicable state and federal laws • Preventing unauthorized access to, use, or disclosure/removal of AGC’s property, records, data, and information • Ensuring employee performance and adherence to AGC policies and procedures • Investigate complaints, grievances, and suspected violations of applicable law and AGC policies and procedures • Fulfill such other business purposes as reasonably determined by AGC
<p><u>Geolocation Data.</u> This category includes GPS location data from AGC-issued mobile devices and computers and AGC-owned vehicles.</p>	<ul style="list-style-type: none"> • Improve safety of employees, customers and the public with regard to use of AGC property and equipment • Preventing unauthorized access, use, or loss of AGC property • Improve efficiency, logistics, and supply chain management • Ensuring employee performance and adherence to AGC policies and procedures • Investigate complaints, grievances, and suspected violations of applicable law and AGC policies and procedures

<p><u>Professional and Employment-Related Information.</u> This category includes without limitation:</p> <ul style="list-style-type: none"> • data submitted with employment applications including, employment history, employment recommendations, etc. • background check and criminal history • work authorization • professional licenses • educational degrees • fitness for duty data and reports (upon return from a medical leave of absence) • performance and disciplinary records • compensation, salary and bonus data • benefit plan enrollment, participation, and claims information • training records • leave of absence information including religious and family obligations, physical and mental health data concerning employee and his or her family members 	<ul style="list-style-type: none"> • Collect and process employment applications, including confirming eligibility for employment, background and related checks, and onboarding • Employee benefit plan and program design and administration, including leave of absence administration • Maintaining personnel records and complying with record retention requirements • Communicating with employees and/or employees' emergency contacts and plan beneficiaries • Complying with applicable state and federal labor, employment, tax, benefits, workers compensation, disability, equal employment opportunity, workplace safety, and related laws • Preventing unauthorized access to, use, or disclosure/removal of AGC's property, records, data, and information • Ensuring employee performance and adherence to AGC policies and procedures • Investigate complaints, grievances, and suspected violations of applicable law and AGC policies and procedures • Fulfill such other business purposes as reasonably determined by AGC
<p><u>Education Information.</u> This category includes education history, degree, certificates, etc..</p>	<ul style="list-style-type: none"> • Evaluate an individual's qualifications for a position, retention, or promotion to a new position.

Note on Inferring Characteristics

AGC does not collect or process sensitive Personal Information or characteristics of protected classifications for the purpose of inferring characteristics about HR Related Persons.

Retention of Personal Information

AGC will retain your Personal Information for the time period required or permitted by law or for the time reasonably necessary to achieve the purposes described in this Privacy Notice. Retention is based on several factors, including legal requirements, statutes of limitation, and business needs.

Sales of Personal Information.

AGC does not sell the Personal Information of any HR Related Persons, nor disclose their Personal Information for cross-context behavioral advertising.

Sources of Personal Information

AGC may obtain Personal Information about HR Related Persons from the following categories of sources:

- Directly from You (e.g. In your application, forms you fill out, assessments you complete, surveys you submit, etc.)
- Your spouse or dependent (e.g. Filling out or providing benefit information.)
- AGC internally generated (e.g. Evaluations, performance reviews, payroll, assessments, etc.)
- Your device(s) (e.g. AGC issued phones, computers or other equipment)
- Other individuals, for example, in connection with hiring referrals, provision of benefits, feedback from customers or business partners
- Our Affiliates (as defined below)
- Public records
- Service Providers (as defined below), contractors and other vendors who provide services on our behalf
- Internet service providers
- Operating systems and platforms
- Government entities
- Social networks (e.g., LinkedIn, Indeed)
- Data brokers (e.g., background check services)
- Acquired company (if AGC acquired your employer)

Note: This Privacy Notice does not cover background screening conducted by third-party background check vendors subject to the federal Fair Credit Reporting Act. AGC and/or its Service Provider's provide separate notices for such screening.

Disclosure of Personal Information.

We share Personal Information with the following categories of third parties:

- “**Affiliates.**” You can consult the list and location of our affiliated entities at the following site [Group Companies | Company | AGC](#).
- “**Service Providers.**” Third party service providers carry out activities on our behalf, such as auditors, administrative services, staffing agencies, payroll service providers, law firms, human resource consultants, travel agencies, benefits providers, software and web host application providers, recruiting firms, and any other entity providing services to AGC.
- “**Legal Authorities.**” We may share Personal Information to cooperate with public and government authorities, including but not limited to, law enforcement, the Internal Revenue Service, the California Employment Development Department, OSHA/CalOSHA, California Department of Fair Employment and Housing, and the California Department of Industrial Relations, and to protect and defend our legal rights and those of others.

In the preceding 12 months, we disclosed for our operational business purposes the following categories of Personal Information to the following categories of third parties:

Categories of Personal Information	Disclosed to Which Categories of Third Parties for Operational Business Purposes
Identifiers and Contact Information	Affiliates; Service Providers; Legal Authorities
Protected Classification Information	Affiliates; Service Providers; Legal Authorities
Internet or Other Electronic Network Activity Information	Affiliates; Service Providers; Legal Authorities
Geolocation Data	Affiliates; Service Providers
Professional and Employment-Related Information	Affiliates; Service Providers; Legal Authorities
Education Information	Affiliates; Service Providers

Your CPRA Rights

Subject to applicable provisions of the CPRA, HR Related Persons have the following rights:

(1) “Request to Know”

You may request that we disclose to you the following information covering the 12 months preceding your request:

- The categories of Personal Information we collected about you and the categories of sources from which we collected such Personal Information;
- The specific pieces of Personal Information we collected about you;
- The categories of Personal Information about you that we sold and/or disclosure of your Personal Information for cross-context advertising and, for each, the categories of third parties to whom we sold and/or disclosed such Personal Information (if applicable); and
- The categories of Personal Information about you that we otherwise shared or disclosed, and the categories of third parties with which we shared or to which we disclosed such Personal Information (if applicable).

You may only make a verifiable consumer request for access or data portability twice within a twelve (12) month period. There may be some specific information about you that we are not permitted by law to provide to you because of legal restrictions or because the information is used for security purposes, such as information collected in an internal investigation.

(2) “Request to Delete”

You have the right to request that AGC delete any of your Personal Information that we collected from you and retained, subject to certain exceptions.

We may deny your deletion request, including if retaining the information is necessary for us, our Affiliates and/or our Service Provider(s) to:

- Administer our employee programs.
- Is necessary to protect our legal obligations and rights, or to provide security for our employees, our systems and our company.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.

- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it and/or consistent with the purposes of the use of the Personal Information set forth in this Privacy Notice.

(3) **“Request to Correct”**

You have the right to submit a verifiable request for the correction of inaccurate Personal Information maintained by AGC, taking into account the nature of the Personal Information and the purposes of processing the Personal Information.

(4) **“Request to Limit Processing of Sensitive Personal Information”**: You have the right to ask that we limit our use and disclosure of your sensitive Personal Information to certain purposes permitted by law. Sensitive personal information includes the following categories of information described above and in Cal. Civ. Code § 1798.80(e): personal information, characteristics of protected classifications, sensitive identifiers, health information, biometrics, religion, sexual orientation, personal communications, financial account information, and log in credentials.

Exercising Your CPRA Rights.

To exercise the rights described above, please submit a verifiable request to us by either:

- Calling us at 503-828-2561.
- Emailing us at: ea.hr@agc.com.

We will verify and respond to your request consistent with applicable law, taking into account the type and sensitivity of the Personal Information subject to the request. We may need to request additional Personal Information from you, such as your name, email address, mailing address and how you desire to interact with us, in order to verify your identity and protect against fraudulent requests. If you maintain a password-protected account with us, we may verify your identity through our existing authentication practices for your account and require you to re-authenticate yourself before disclosing or deleting your Personal Information. If you make a Request to Delete, we may ask you to verify your request before we delete your Personal Information.

Authorized Agents

If you want to make a request as an authorized agent on behalf of a California resident, you may use the submission methods noted above. As part of our verification process, we may request that you provide, as applicable:

- Proof of your registration with the California Secretary of State to conduct business in California;
- A power of attorney from the California resident pursuant to Probate Code sections 4000-4465; and/or

- Written permission that the California resident has authorized you to make a request on the resident's behalf. This permission must be signed (via physical or e-signature) by the California resident.

If you are making a Request to Know or a Request to Delete on behalf of a California resident and have not provided us with a power of attorney from the resident pursuant to Probate Code sections 4000-4465, we may also require the resident to:

- Provide you with a written permission signed by the resident to make the Request to Know or Request to Delete on the resident's behalf;
- Verify the resident's own identity directly with us; and/or
- Directly confirm with us that the resident provided you permission to submit the Request to Know or Request to Delete.

Right to Non-Discrimination

You have the right to be free from unlawful discrimination for exercising your rights under the CPRA.