

## TopBloc Employee Privacy Notice for California Residents

**Effective Date:** 01/01/2023

The purpose of this **Employee Privacy Notice for California Residents** is to inform our personnel (including employees, temporary workers, job applicants, and contractors) who reside in the State of California (referred to herein as “you” or “individual”) about the categories of personal information to be collected by TopBloc and the purposes for which the categories of personal information will be used. We adopt this notice to comply with Section 1798.100 of the California Consumer Privacy Act of 2018 (CCPA) and the California Privacy Rights Act of 2020 (“CPRA”).

### **Definitions**

**Consumer:** As defined by the CCPA, a consumer is a natural person who is a California resident, living in California for other than a temporary or transitory purpose, or individual domiciled in California.

**Personal Information:** Commonly referred to as Personally Identifiable Information (“PII”), Personal Information (“PI”) may be defined under various privacy laws, but, generally, is a fact about an individual which, if combined with one or more other facts about that individual, would enable others to determine the specific person to whom the facts apply.

**Sensitive Personal Information:** Sensitive Personal Information (“SPI”) is a subset of PI that requires greater security protections and standards of care in handling. SPI, also known as “special categories of information”, is defined as information that if lost, compromised, or disclosed could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual.

### **CONSUMER RIGHTS**

#### **RIGHT TO ACCESS**

You have the right to access PI which we may collect or retain about you. If requested, we shall provide you with a copy of your PI which we collect as permitted by the CCPA. You also have the right to receive your PI in a structured and commonly used format so that it can be transferred to another entity (“data portability”). Exercise your right by submitting the form [LINKED HERE](#) or by following the instructions below in the paragraph titled “Exercising Your Rights.”

#### **RIGHT TO KNOW**

You have the right to request that we disclose the following about your PI, as defined by the CCPA:

- The specific PI we may collect;
- The categories of PI we may collect;
- The categories of sources from which we may collect your PI;
- The business purpose(s) for collecting or sharing your PI;
- The categories of PI we may disclose for business purposes; and
- The categories of third parties to whom we may share your PI.

#### **RIGHT TO OPT-OUT - DO NOT SELL MY PERSONAL INFORMATION**

TopBloc does not sell PI within the meaning of the CCPA.

#### **RIGHT TO OPT-OUT - DO NOT SHARE MY PERSONAL INFORMATION**

You have the right to limit how your PI is disclosed or shared with third parties, as defined in the CCPA. TopBloc does not share PI for cross-context behavioral advertising. Exercise your right by submitting the form [LINKED HERE](#) or by following the instructions below in the paragraph titled “Exercising Your Rights.”

## RIGHT TO DELETION

In certain circumstances, you have the right to request the erasure of your PI. Upon verifying the validity of a deletion request, we will delete your PI from our records, and instruct any service providers or third parties to delete your information, when applicable. Exercise your right by submitting the form [LINKED HERE](#) or by following the instructions below in the paragraph titled “Exercising Your Rights.”

## RIGHT TO CORRECT/RIGHT TO RECTIFICATION

In certain circumstances, you have the right to request correction of any inaccurate PI. Upon verifying the validity of a verifiable consumer correction request, we will use commercially reasonable efforts to correct your PI as directed, taking into account the nature of the PI and the purposes of maintaining your PI.

Exercise your right by submitting the form [LINKED HERE](#) or by following the instructions below in the paragraph titled “Exercising Your Rights.”

## EXERCISING YOUR RIGHTS

If you are a California resident, you can exercise any of your rights as described in this Notice and under applicable privacy laws by using the contact information provided in this Notice and the forms provided above. Please note that the above rights are not absolute, and we may be entitled to refuse requests, wholly or partly, where exceptions under applicable law apply. We will not discriminate against you for exercising such rights. Except as described in this Notice or provided for under applicable privacy laws, there is no charge to exercise of your legal rights.

However, if your requests are manifestly unfounded or excessive, in particular because of their repetitive character, we may:

- Charge a reasonable fee taking in account the administrative costs of providing the information or taking the action requested; or
- Refuse to act on the request and notify you of the reason for refusing the request.

## VERIFYING CONSUMER REQUESTS

We will require your name, e-mail, phone number, and address. We will attempt to match our records based on that information. Where we have reasonable doubts concerning the identity of the person making the request, we may request additional information necessary to confirm their identity.

### Information We Collect

TopBloc collects the following categories of PI and SPI from individuals and we share it with our service providers:

Category	Examples	Collected
A. Identifiers.	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.	YES

B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	<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>	YES
C. 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).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. 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.	NO
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	YES
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. 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.	NO

K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES
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Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
  - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
  - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

We retain Personal Information as reasonably necessary for the duration of the purposes outlined in this Privacy Notice. Notwithstanding the duration of the purposes, we may retain your information if necessary to comply with our legal or professional obligations, enforce our agreements, or resolve disputes.

### **Sensitive Personal Information (SPI) We Collect**

We may also collect or process SPI as necessary to enable us to carry out your instructions, to manage and operate our business, to administer employment benefits, and to comply with our legal and regulatory obligations.

You may supply us with, or we may receive, the following SPI:

- Username and password;
- Financial, account or billing information, including tax identification number, social security number, or credit/debit card information;
- Proof of identification, including driver's licenses number or state/national government-issued identification;
- Diversity or demographic information, including race or ethnicity, gender or gender identity, religious or philosophical beliefs, veteran or disability status, or sexual preference;
- Information TopBloc has contractually agreed to manage under heightened confidentiality and security protocols, such as health and financial information or intellectual property;
- Information required to conduct background checks.

TopBloc collects SPI on the basis of one or more of the following:

- You have given explicit consent to the collection for one or more specified purposes;
- Where the collection of SPI is manifestly made public by you; and/or
- Where the collection is necessary for the establishment, exercise or defense of legal claims.

Where the collection is necessary for reasons of substantial public interest, in accordance with applicable law, TopBloc may collect SPI for the following reasons:

- For the purpose of the prevention or detection of an unlawful act or for preventing fraud; and
- For the provision of confidential advice.

We retain Sensitive Personal Information as reasonably necessary for the duration of the purposes outlined in this Privacy Notice. Notwithstanding the duration of the purposes, we may retain your information if necessary to comply with our legal or professional obligations, enforce our agreements, or resolve disputes.

### **How Personal Information and Sensitive Personal Information is Collected**

We collect most PI directly from you. However, we may also collect PI from the following:

- Publicly accessible sources;
- Directly from a third party for background checks;
- A third party, such as a bank, financial institution or advisor, with your consent;
- Our website, or through the use of Cookies (Please view our website Privacy Notice for more information);
- Our Information Technology (IT) and HRIS systems, including:
  - Workday (Privacy statement linked [HERE](#));
  - Door entry systems and building badge logs; and/or
  - Access control systems.

### **Purpose for Which Personal Information and Sensitive Personal Information is Collected**

We may use the personal information we collect for a range of standard employment-related and business purposes, including:

- **Workforce Planning and Recruitment**, for example for business forecasting, employee assignment planning and budgeting, job advertising, interviewing, conducting background and criminal history checks, performing drug testing, selecting and hiring and terminating staff.
- **General Human Resources Management and Administration**, for example for career development, performance management, compensation and benefits management and benchmarking, administering payroll, reimbursing expenses, managing stock options, obtaining employee satisfaction feedback, managing absences, general headcount reporting, disaster recovery and emergency response planning, equal opportunities monitoring, training employees, and carrying out disciplinary or grievance procedures.
- **Performance of our Business Operations**, for example, to carry out day to day business activities, to allow us to work together and collaborate, to provide our services, to ensure business continuity, to enforce our rights and protect our operations and those of our affiliates, for marketing purposes, and to pursue available remedies and limit damages we may sustain.
- **Security Management**, for example, to ensure the security of our premises, assets, information, employees and other personnel.
- **Legal and Regulatory Compliance**, for example, to respond to law enforcement requests; as required by applicable law, court order, or governmental regulations; to ensure compliance with health & safety requirements and other legal or fiscal obligations, or in connection with litigation or an internal investigation or audit and to ensure compliance with our policies regarding anti-money laundering, bribery and corruption.
- **As described to you when collecting your personal information.**
- **Business transactions**, for example, to evaluate or conduct a merger, divestiture,

restructuring, reorganization, dissolution, or other sale or transfer of some or all of TopBloc's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by TopBloc about you is among the assets transferred.

TopBloc 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 additional notice.

### **Disclosure of Personal Information**

TopBloc shall use a reasonable standard of care to store and protect from disclosure any PI collected using the principals of least-privileged access and by limiting access to PI and SPI to individuals with a 'need to know.'

TopBloc may share your PI and SPI under the following circumstances:

- In the event that we sell or purchase any business or assets, or if all or substantially all of TopBloc's assets are acquired by a third party, in which we may disclose your PI/SPI to the prospective seller or buyer of such business or assets, solely for the purpose of permitting the due diligence required to decide whether to proceed with a transaction;
- If reasonably necessary to protect the vital interests of a person or TopBloc;
- If we are subject to disclose or share your information in order to comply with any legal or regulatory obligation; or
- To enforce or apply our terms and conditions or to establish, exercise or defend the rights of TopBloc, TopBloc personnel, clients, customers or others.

Our third party service providers are subject to security and confidentiality obligations and are only permitted to process information for a specified, legitimate business purpose and in accordance with our instructions.

We only share your information with the following third parties:

- Affiliated firms and advisors as necessary to carry out the purposes for which the information was supplied or collected; and/or
- Service providers that assist with our business operations, including data hosting providers, recruitment agencies, IT and software providers, marketing database providers, benefit providers, accountants and HR system providers, including benefits and payroll providers.

TopBloc does not sell PI/SPI or share PI/SPI for cross-context behavioral advertising purposes that is collected under this Notice.

### **Data Storage and Security**

TopBloc shall use a reasonable standard of care to store and protect your PI/SPI. We use appropriate physical, technical and organizational security measures and procedures to protect PI/SPI from unauthorized use, loss, alteration, destruction or modification. TopBloc shall retain your PI/SPI until the initial purpose for collecting and retaining such data has been satisfied. If you subsequently agree to a new or additional purpose, your PI/SPI may be retained for that.

### **Changes to this Notice**

TopBloc reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on the TopBloc's intranet site and update the notice's effective date.

### **Contact Information**

If you have any questions or comments about this notice, including the ways in which TopBloc

collects and uses your information, please do not hesitate to contact us at:

**Phone:** 1-888-988-7021

**Website:** [www.topbloc.com](http://www.topbloc.com)

**Email:** [Privacy@topbloc.com](mailto:Privacy@topbloc.com)

**Postal Address:**

TopBloc, LLC  
Attn: Data Protection Officer  
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