

Nestlé Health Science Supplemental Privacy Notice for Employees and Independent Contractors

Last Updated: 05/11/2023

This Nestlé Health Science Supplemental Privacy Notice for Employees and Independent Contractors (**Notice**) supplements the [Nestlé Employee Privacy Notice \(Nestlé Notice\)](#) and provides additional information about the personal information Nestlé Health Science (referred to as “NHSc”, the “**Company**”, “**we**,” “**us**,” or “**our**,” as applicable) collects, uses, discloses, and otherwise processes about you. This Notice covers NHSc directors, employees, contractors, consultants, and other individuals who currently work or previously have worked for us (collectively, “**Employees**,” “**you**,” or “**your**”).

Where we refer to “employment” or “engagement” in this Notice, we do so for convenience only, and this should in no way be interpreted as purporting to confer employment status on non-employees to whom this Notice also applies. This Notice does not form part of any contract of employment or engagement, does not confer any employment status or contractual right on any Employees, and does not place any contractual obligation on us.

This Notice does not cover information collected about you as a NHSc customer or user of NHSc affiliated websites, mobile apps, or other NHSc products or services. To learn more about our information practices in those situations, please read our online [Privacy Policy](#).

We may change this Notice from time to time. If we make changes, we will notify you by revising the date at the top of this Notice. If we make material changes, we will provide you with additional notice, such as by sending you a notification.

1. Processing Purposes and Categories

1.1 We may process your personal data:

- a) for the purposes of your employment, and reasonable secondary purposes connected with your employment;
- b) in connection with investigations, litigation, and court proceedings, including litigation matters in which NHSc is a party and relevant third-party litigation matters, and other court proceedings;
- c) in order to comply with requirements of governmental entities and requests from law enforcement agencies;
- d) as required or permitted by applicable law;
- e) when you disclose personal data for the purpose of voluntarily participating in various employee programs; and
- f) for any other purposes that we provide you with notice of before starting the relevant processing, subject to compliance with applicable laws.

1.2 We may process your sensitive personal data:

- a) for the purposes of diversity reporting statistics and equal opportunities monitoring;
- b) in order to keep track of, and properly manage, requests for and decisions relating to family leave or other Company authorized leave, medical absences from work, and disability related accommodations;
- c) in order to detect and prevent fraud, other criminal activities, and violation of company policies;
- d) as required or permitted by applicable law; and
- e) for any other purposes that we provide you with notice of before starting the relevant processing, subject to compliance with applicable law.

1.3 We will only process your personal data and sensitive personal data for the purposes set out in the Appendix and in accordance with the purposes described in, or notified to you under, paragraphs 1.1 and 1.2 (each a “**Purpose**”).

1.4 The categories of personal data that we may process in connection with your employment or during your application for employment process include:

- a) all information that you provide to us (e.g., contact details, bank details for payroll purposes, medical records in connection with medical absences, requests for and decisions relating to family leave or other Company authorized leave or accommodations, dependent and domestic partner information in connection with employer benefits, etc.);
- b) all information that we obtain from third parties (e.g., employment references, tax codes and other governmental information, applicant background check and drug screening information, etc.);
- c) all information created during the course of your application process or employment (e.g., employment records, disciplinary records, employment history and background check information, etc.); and
- d) all information that we may be required or permitted to process in accordance with applicable law (e.g., information relating to diversity reporting and equal opportunities monitoring).

2. Additional Disclosures

2.1 We collect, and have collected in the preceding twelve (12) months, the following categories of personal data: identifiers, characteristics of protected classifications under California or Federal law, internet and electronic network activity, geolocation data, audio, visual, or other sensory information, professional or employment-related information, education information, and sensitive personal information such as, for example, your social security number, driver's license, state identification card, or passport number, racial or ethnic origin, or other categories of "sensitive personal information" as that term is defined in applicable law. We do not use or disclose your sensitive personal information for purposes other than those expressly permitted by applicable law. For examples of the precise data points we collect and the categories of sources of such collection, please see the "Processing Purposes and Categories" section above. We collect personal data for the business and commercial purposes described in the same section above.

2.2 We may disclose personal data in certain circumstances, including: to comply with our legal obligations; to protect the rights and property of our customers and the public; to detect and respond to suspected illegal activity and threats to the health or safety of any person or of our systems or services; in connection with, or during negotiations of, any merger, joint venture, sale of Company assets, financing, or acquisition of all or a portion of our business, assets, or stock by another company (including in connection with any bankruptcy or similar proceedings); to maintain our business operations, including, for example, by providing or enabling our service providers, professional advisors, and other similar entities to assist with the administration of payroll, pension, benefits, performance management, training, communication platforms, and expense management and facilitate internal programs relating to diversity, inclusion, and anti-discrimination; and with your consent or at your direction. In the preceding twelve (12) months, we have disclosed personal data to the following categories of recipients:

Category of Personal Data	Categories of Recipients
Identifiers	Recruitment and personnel management service providers, benefits providers, payroll providers, fraud detection and security service providers
Characteristics of protected classifications under state or federal law	Recruitment and personnel management service providers and benefits providers
Commercial information	Recruitment and personnel management service providers and payroll providers
Internet or electronic network activity information	Fraud detection and security service providers
Geolocation data	Fraud detection and security service providers
Audio, visual, or similar information	Recruitment and personnel management service providers, fraud detection and security service providers

Professional and employment-related information	Recruitment and personnel management service providers, benefits providers, and payroll providers
Inferences	Recruitment and personnel management service providers
Sensitive personal information	Recruitment and personnel management service providers, benefits providers, payroll providers, government authorities and regulators

We may also disclose aggregated or de-identified information, which cannot reasonably be used to identify you. We process, maintain, and use this information only in a de-identified fashion and will not attempt to re-identify such information except as permitted by law.

3. Your Privacy Rights and Choices

3.1 **Your Privacy Rights.** You may have certain rights with respect to your data, including the following:

- a) **Right to Access:** You may ask us to confirm whether we are processing your personal data and, if so, to provide you with a copy of the personal data we hold about you (along with certain other details).
- b) **Right to Correction:** If the personal data we hold about you is inaccurate or incomplete, you are entitled to ask for correction or completion.
- c) **Right to Deletion:** You may ask us to delete or remove your personal data in some circumstances—for example, if we no longer need it.

3.2 **Exercising Your Rights.** To request access, correction, or deletion of your personal data, please email us at NHScLegal@us.nestle.com and indicate “Privacy Matter” and the type of request you are making in the subject line of your message. You may designate an authorized agent to exercise privacy rights on your behalf by providing the authorized agent signed permission to submit the request on your behalf. If an authorized agent submits a request on your behalf, we may need to contact you to verify your identity and protect the security of your personal data. If you are an authorized agent seeking to make a rights request, please contact at NHScLegal@us.nestle.com indicating “Authorized Agent Privacy Matter” in the subject line.

Any request to exercise one of these rights will be assessed by Company on a case-by-case basis. There may be circumstances in which we are not legally required to comply with your request because of a relevant legal exemption provided for under applicable law. We will not discriminate or retaliate against you for exercising your privacy rights. If you choose not to disclose certain personal information, however, this may limit our ability to perform certain activities, such as process your payroll or enroll you in benefits.

3.3 **“Sales” and “Sharing” of Personal Data.** We do not “sell” or “share” your personal data as those terms are defined under California law. We also do not have any knowledge of any “sales” or “sharing” of the personal data of minors under sixteen (16) years of age.

4. Data Retention

The length of time we retain your personal data depends on the status of our relationship with you and the requirements of applicable law. We will retain your personal data for as long as your employment or engagement with us lasts and for a certain period thereafter, after which point it will be deleted or archived in accordance with applicable law. To determine that period, we consider a number of factors, including our legal and regulatory obligations (such as financial reporting obligations and equal opportunity or anti-discrimination reporting obligations) and whether we may need to retain personal data to resolve disputes, make and defend legal claims, conduct audits, pursue legitimate business purposes, and/or enforce our agreements.

5. Contact us and Changes to this Notice

You can contact us about this Notice or our privacy practices at:

Nestlé Health Science
ATTN: Legal
121 River Street, 9th Floor
Hoboken, NJ 07030

Or Email: NHScLegal@us.nestle.com