

Nestlé USA, Inc. and Nespresso USA, Inc. Supplemental Privacy Notice for Employees, Former Employees, and Independent Contractors Who are California Residents

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

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 Company customer or user of Company-affiliated websites, mobile apps, or other Company 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 policy. 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 NUSA or Nespresso 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, 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 (for example: 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 (for example: 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 (for example: 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 (for example: information relating to diversity reporting and equal opportunities monitoring).

2. Additional Disclosures

2.1 We collect, and have collected in the preceding 12 months, the following categories of personal data: identifiers, characteristics of protected classifications under California or U.S. law, internet and electronic network activity, geolocation data, audio, visual, or other sensory information, professional or employment-related information, education information, inferences, 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 by California Law. We do not use or disclose your sensitive personal information for purposes other than those expressly permitted by California 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 12 months, we have disclosed personal data to the following categories of recipients:

| <i>Category of personal data</i> | <i>Categories of Recipients</i> |
|---|---|
| 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, 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 click the hyperlink to access the [NUSA Webform](#) or call 1-(800)-225-2270 if you are a NUSA Employee or the [Nespresso Webform](#) and 1-(800)-562-1465 if you are a Nespresso Employee. Alternatively, you may also complete a request by emailing us at workforceprivacy@us.nestle.com.

Authorized Agents: 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.

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 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 take into account 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 reach us about this Notice or our privacy practices at:

workforceprivacy@us.nestle.com