

# Employee, Job Applicant, and Independent Contractor Privacy Statement

## Fresenius Kabi USA

Fresenius Kabi respects the privacy of personal information of our employees, job applicants, and independent contractors. This Privacy Statement describes the personal information that Fresenius Kabi collects from or about employees, job applicants, and independent contractors and how we use and to whom we disclose that information. This statement applies to all U.S. employees, job applicants, and independent contractors of Fresenius Kabi USA, LLC and its U.S. affiliates (“Fresenius Kabi,” “we,” “us,” “our”).

### Policy of Compliance

Fresenius Kabi endeavors to comply with the applicable privacy laws and regulations in which we operate. This Privacy Statement has a limited scope and application and the rights and obligations contained in this Privacy Statement may not be available to all individuals or in all jurisdictions. If you are unsure if or how this Privacy Statement applies to you, please contact our Privacy Office at [privacy@fresenius-kabi.com](mailto:privacy@fresenius-kabi.com) for more information.

### What is Personal Information?

For the purposes of this Privacy Statement, personal information includes any information that is collected by Fresenius Kabi about employees, job applicants, and independent contractors in the course of their application process, employment, or engagement for employment-related purposes and encompasses any information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with the employee, job applicant, or independent contractor.

### What Personal Information is Collected?

Below are the categories of personal information Fresenius Kabi may collect and process about our employees, job applicants, and independent contractors directly from such employees, job applicants, and independent contractors or from other sources such as benefit providers, third parties for reference checks (e.g., past employers), recruitment agencies, background check agencies, public agencies, workers’ compensation carriers, and law enforcement agencies:

Category	Examples
Special Categories of Personal Information	Name, signature, age, height, weight, marital status, gender, sexual orientation, religious beliefs, nationality, citizenship status, disability or specific condition, racial or ethnic origin, military or veteran status, children's names.

Contact Information	Home address, phone number, previous residence address, emergency contact details, personal email, work email.
Government Identifiers	Driver's license number, social security number, passport number, national identification number.
Employment Information	Start date, end date, reason for termination, workers compensation claims, salary wage expectation, record of absence / time tracking / annual leave, previous work history, personnel number, performance rating, line reporting manager, job title role, hours of work, grievances and complaints, exit interview and comments, corporate credit or debit card numbers, contract type, company entity, benefits and entitlements data, business unit division, job application details, office location, salary wage, disciplinary action.
Financial	Compensation data, bank account information, bonus payments, insurance information, bank account number, routing number.
Education & Skills	Education and training history, languages, grade, academic transcripts, educational degrees.
Health Insurance Information	Insurance policy information, subscriber identification number, unique identifier for subscriber, application and claims history, appeals records information.
Professional Experience & Affiliations	Qualifications and certifications, professional memberships.
Travel & Expense	Travel history, travel booking details, expense details.
User Account Information	Account number, account password.
Workplace Welfare	Health and safety related information and reporting, bullying and harassment details.

### **How do we use Personal Information?**

We only process your personal information where applicable law permits or requires it, including where the processing is necessary for the performance of our employment contract with you, where the processing is necessary to comply with a legal obligation that applies to us as your employer, for our legitimate interests or the legitimate interests of third parties, to protect your

vital interests, or with your consent if applicable law requires consent. We may process your personal data for the following legitimate business purposes and for the purposes of performing the employment contract with you:

- Recruitment
- New Hire Onboarding
- Workforce Planning
- Benefits Enrollment and Administration
- Salary and Payroll Administration
- Employee Communications
- Termination and Exit Process Management
- Compliance with health and safety obligations in the workplace
- Workplace accommodation and leave management
- Monitoring absences due to illness
- For meaningful equal opportunity monitoring and reporting.

We will only process your personal information for the purposes we collected it for or for compatible purposes. If we need to process your personal information for an incompatible purpose, we will provide notice to you and, if required by law, seek your consent. We may process your personal information without your knowledge or consent where required by applicable law or regulation.

We may also process your personal data for our own legitimate interests, including for the following purposes:

- To prevent fraud
- To ensure network and information security, including preventing unauthorized access to our computer and electronic communications systems and preventing malicious software distribution
- To support internal administration with other Fresenius Group companies

You will not be subject to decisions based on automated data processing without your prior consent.

### **When and to Whom Do We Disclose Personal Information of Employees, Job Applicants, and Independent Contractors?**

We will disclose personal information of our employees, job applicants, and independent contractors to the following third parties:

- Our vendors: We share your information with vendors that provide services on our behalf, such as recruiting services, enterprise software providers, audit and accounting firms, security vendors, travel services, and physical or electronic information storage services. We authorize vendors to use or disclose personal information only as necessary to perform services on our behalf or comply with legal requirements. We require our vendors to contractually commit to protect the security and confidentiality of data they process on our behalf.
- Other Fresenius Group companies: We share personal information with other Fresenius entities for internal administrative purposes.
- Law Enforcement, Government Authorities, etc.: Where required or permitted by law or in the context of an audit or other review, we share information with law enforcement agencies, courts, other government authorities, or other entities, where we believe it is necessary: (i) to comply with a legal or regulatory obligation; (ii) to protect the rights, safety, and property of Fresenius Kabi USA, you or others; and (iii) to respond to requests from courts, law enforcement agencies, regulatory agencies and other public and government authorities.

- Individuals or entities involved in a potential or actual corporate transaction with us: We may share personal information in connection with the consideration, negotiation, or completion of a corporate transaction, such as a merger or acquisition, divestiture, consolidation, or a sale or transfer of all or a portion of our assets or business, including during the course of any due diligence process, or in the unlikely event of bankruptcy.

## **Personal Information Security and Storage**

We implement and maintain appropriate organizational, technical, and administrative security measures designed to safeguard your personal information against unauthorized access, destruction, loss, alteration, or misuse.

We retain your personal information for as long as we have a relationship with you or for as long as legally required. When deciding how long to keep your personal information after our relationship with you has ended, we consider our legal and regulatory obligations and internal personal information management policies. For example, we may retain records to investigate or defend against potential legal claims or where required by law. Where we retain data, we do so in accordance with any limitation periods, records retention obligations that are imposed by applicable laws, and our internal records retention policies.

## **International Data Transfers**

Your information may be transferred to, stored, and processed in a country that does not provide the same level of protection for personal information as the laws of your home country and may be available to the government of those countries under a lawful court order made in those countries. Where Fresenius Kabi engages in cross border transfers of personal information, we do so in accordance with the terms of this Privacy Statement and applicable data protection law. This may include a data transfer agreement that incorporates Standard Contractual Clauses approved by the EU Commission or Fresenius Kabi's own Binding Corporate Rules (BCRs).

We have put in place appropriate safeguards in accordance with applicable legal requirements to provide adequate protections for your personal information.

## **Rights of Access, Correction, Erasure, and Objection**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your employment or engagement. By law you may have the right to request access to, correct, and erase the personal information that we hold about you, or object to the processing of your personal information under certain circumstances. You may also have the right to request that we transfer your personal information to another party. Additionally, where you have provided your consent to the collection, processing, or transfer of your personal information, you may have the legal right to withdraw your consent under certain circumstances. If you want to review, verify, correct, or request erasure of your personal information, object to the processing of your personal information, request that we transfer a copy of your personal information to another party, or withdraw your consent, please contact us at [privacy@fresenius-kabi.com](mailto:privacy@fresenius-kabi.com). Any such communication must be in writing.

We may request specific information from you to help us confirm your identity and your right to access, and to provide you with the personal information that we hold about you or make your requested changes. Applicable law may allow or require us to refuse to provide you with access to some or all of the personal information that we hold about you, or we may have destroyed, erased, or made your personal information anonymous in accordance with our record retention

obligations and practices. If we cannot provide you with access to your personal information, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

**California Employees, Job Applicants and Independent Contractors**

If you are a California employee, job applicant or independent contractor, this section provides notice under the California Consumer Privacy Act, as amended by the California Privacy Rights Act (“CPRA”), that, in connection with your application, employment or engagement, Fresenius Kabi collects the following categories of personal information regarding you and/or your designated emergency contacts and beneficiaries who reside in California.

Categories of Personal Information Collected	Disclosed for a Business Purpose?	Categories of Third Parties to Whom the Information may be Disclosed
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	<ul style="list-style-type: none"> <li>• Vendors</li> <li>• Other Fresenius Group companies</li> <li>• Government agencies or other entities to (i) to comply with a legal or regulatory obligation; (ii) to protect the rights, safety, and property of Fresenius Kabi, you or others; and (iii) to respond to requests from courts, law enforcement agencies, regulatory agencies and other public and government authorities</li> <li>• Third parties in connection with the consideration, negotiation, or completion of a corporate transaction, such as a merger or acquisition, divestiture, consolidation, or a sale or transfer of all or a portion of our assets or business, including during the course of any due diligence process, or in the unlikely event of bankruptcy</li> </ul>
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	Yes	
Characteristics of protected classifications under California or federal law (race, color, national origin, religion, gender (including pregnancy), disability, age (at least 40 years old), citizenship status, sexual orientation, gender identity and gender expression)	Yes	
Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding interaction with an internet web site, application, or advertisement	Yes	
Professional or employment-related information	Yes	
Education information	Yes	

Fresenius Kabi may collect the following categories of sensitive personal information regarding you and/or your designated emergency contacts and/or beneficiaries:

Categories of Sensitive Personal Information Collected	Disclosed for a Business Purpose?	Categories of Third Parties to Whom the Information may be Disclosed
Personal information that reveals social security, driver's license, state identification card, or passport number	Yes	<ul style="list-style-type: none"> <li>• Vendors</li> <li>• Other Fresenius Group companies</li> <li>• Government agencies or other entities to (i) to comply with a legal or regulatory obligation; (ii) to protect the rights, safety, and property of Fresenius Kabi, you or others; and (iii) to respond to requests from courts, law enforcement agencies, regulatory agencies and other public and government authorities</li> <li>• Third parties in connection with the consideration, negotiation, or completion of a corporate transaction, such as a merger or acquisition, divestiture, consolidation, or a sale or transfer of all or a portion of our assets or business, including during the course of any due diligence process, or in the unlikely event of bankruptcy</li> </ul>
Personal information that reveals your account log-in in combination with the required password allowing access to an account	Yes	
Personal information that reveals racial or ethnic origin, religious or philosophical beliefs or union membership	Yes	
Personal information collected and analyzed concerning your health	Yes	
Personal information collected and analyzed concerning your sex life or sexual orientation	Yes	

Fresenius Kabi does not use or disclose the above sensitive personal information for any purpose other than those permitted under the CPRA.

The personal information and sensitive personal information described above are collected from the sources set forth in the section entitled "What Personal Information is Collected?".

Such information is not sold or shared as such terms are defined under the CPRA, and Fresenius Kabi does not have actual knowledge that it sells or shares the personal information of California residents under 18 years of age.

Fresenius Kabi collects, uses and discloses the information described above only for business purposes related to your application process, employment, or engagement as described in the section entitled "How Do We Use Personal Information?".

As stated in the section entitled "Personal Information Security and Storage" above, Fresenius Kabi will retain the categories of personal data, including the categories of sensitive personal data, described above, for as long as we have a relationship with you or for as long as legally required.

### CPRA Rights

As a California resident, you have the following rights under the CPRA:

- Right to Know and Access: You have the right to request that we disclose certain information to you about our collection and use of certain personal data, including sensitive personal data, about you as described below:

- The specific pieces of personal information collected;
  - The categories of personal information collected;
  - The categories of sources from whom the personal information is collected;
  - The purpose for collecting, selling or sharing the personal information;
  - The categories of third parties with whom we have disclosed the personal information;
  - If applicable, the categories of personal information that we have sold or shared, and the categories of third parties to whom the personal information was sold or shared, by category or categories of personal information for each third party to whom the personal data was sold or shared;
  - The categories of personal information that we disclosed for a business purpose and the categories of persons to whom it was disclosed for a business purpose.
- Right to Delete: You have the right to request that we delete your personal information, subject to certain exceptions.
  - Right to Correct Inaccurate Personal Information: You have the right to request that we correct inaccurate personal information we maintain about you, taking into account the nature of the personal information and the purposes of the processing of the personal information.
  - Right to Opt-Out of Sale or Sharing: As stated above, we do not sell or share your personal information.
  - Right to Limit the Use and Disclosure of Sensitive Personal Information for Certain Purposes: As stated above, we do not use or disclose your sensitive personal information for any purpose other than those permitted under the CPRA.
  - Freedom from Discrimination: You have the right not to receive discriminatory treatment for exercising your rights above, including not to be retaliated against for exercising such rights.

To exercise the rights above, you must submit a verifiable request to us by calling us at 888-985-1068, submitting a request online at [Data Subject Request Form - Fresenius Kabi USA \(fresenius-kabi.com\)](#) or by emailing us at [privacy@fresenius-kabi.com](mailto:privacy@fresenius-kabi.com). To submit a verifiable request, you will be asked to provide certain information to help us verify your identity. The information we ask you to provide to initiate a request may differ depending upon the type of request, the type, sensitivity, and value of the personal data that is the subject of the request, and the risk of harm to you that may occur as a result of unauthorized access or deletion, among other factors.

You may designate an authorized agent to make a request on your behalf by providing the agent with signed written permission to do so.

### **Changes to This Privacy Statement**

Fresenius Kabi reserves the right to make changes to this Privacy Statement at any time in its sole discretion. If Fresenius Kabi changes its privacy practices, a new Privacy Statement will reflect those changes and the date the Privacy Statement was updated will be reflected in the NCGMP Change Notice Approval Sheet below.

### **Contact**

If you have any questions regarding the information contained in this Privacy Statement, please contact [privacy@fresenius-kabi.com](mailto:privacy@fresenius-kabi.com).