

# Privacy Rights Notice For California Residents

Effective Date: January 1, 2020 • Last Updated: August 25, 2020

Arthrex Inc. and its affiliates and related companies (“Arthrex”) is committed to the responsible management, use, and protection of personal information as well as compliance with the California Consumer Privacy Act (“CCPA”). This Privacy Rights Notice for California Residents (“Notice”) describes the types of personal information we do or may collect and use relating to our employees, officers, directors, contractors (collectively “workforce members”), job applicants, and prospective talent who are residents of the State of California and the purposes for which we use such personal information, including to manage the employment application/hiring process, the employment/contractor relationship (including emergency contact information), and other personal information related to our retention of workforce members and the administration of employee benefits.

This Notice is intended to comply with all applicable laws, including the CCPA, and any terms defined in the CCPA have the same meaning when used in this Notice. If any provision below conflicts with a legal requirement, then Arthrex will comply with the applicable law.

By using this website, by continuing to be a workforce member, and by providing us with Personal Information (described below), you agree to the practices described in this Notice and to any updates to this Notice posted here or elsewhere by Arthrex from time to time. To make sure you stay informed of all changes, you should check these policies periodically. Updates will be referenced by the “Last Updated” date shown above.

## I. Categories of Personal Information We May Collect

Arthrex may collect, use and disclose Personal Information for business purposes only (depending on the circumstances, as described in more detail below) and consistent with applicable laws. We may collect such information in a variety of different situations including, but not limited to, on our website, on your mobile device, through email, in physical locations, through the mail, and/or over the telephone. Where Arthrex discloses Personal Information to third parties, it does so for the same business purposes described below and, where appropriate, requires that such parties maintain its confidentiality and maintain appropriate systems and processes to ensure its security and protection. Arthrex does not sell job applicant or workforce members, Personal Information.

We may collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California resident, household, or device (“Personal Information”). In particular, we may have collected the following categories of Personal Information from our California workforce members as well as job applicants and prospective talent within the last twelve (12) months of operations. Your health information relates to your past, present, or future physical or mental health or condition and related health care services. For each of these categories, we have provided a description and an example. Not every use or disclosure in any category is listed. However, all of the ways we are permitted to use and disclose information will fall within one of the categories.



Category of Information	Examples (not all inclusive)
<b>Identifiers</b>	A real name, date of birth, alias, postal address, Social Security number, passport number, driver's license or state identification card number, unique personal identifier, online identifier, Internet Protocol address, email address, and other similar identifiers.
<b>Personal Information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))</b>	A name, signature, Social Security number, date of birth, address, telephone number, passport number, driver's license or state identification card number, education, employment, employment history, bank account numbers, credit or debit card numbers, or any other financial information, medical history/information, health insurance information and information regarding payment for healthcare services, wellness activities and subsidies, legal issues (e.g., child support, alimony, wage garnishments and subpoenas), and names, addresses, email addresses, and telephone numbers of references. Some Personal Information included in this category may overlap with other categories.
<b>Protected classification characteristics under California or federal law</b>	Age, race, color, national origin, citizenship, marital status, medical condition, physical or mental disability, sex (including gender, gender identity or expression, pregnancy or childbirth or related conditions), information relating to same sex benefits, genetic information (including familial genetic information), religion or creed, veteran or military status, and/or other categories protected by applicable law.
<b>Sensory data</b>	Audio, electronic, visual, thermal, olfactory or similar information, including pictures (e.g., photographs on government identification cards or photographs taken for employee ID purposes, and business or social events), video conferences, video recordings (e.g., videos captured for security, sales, marketing, or training purposes), telephone calls, telephone messages, body temperature scans, and information relating to symptoms associated with COVID-19 and other similar communicable/transmissible viruses or diseases.
<b>Professional or employment-related information</b>	Current or past work history, including the names of employers or entities serviced, positions held, tenure with those employers, terms and conditions of employment/contract, work schedule/hours, memberships, education, training, licensure, certifications and other credentials, personnel files, training information, visa status, business expense information, salary, compensation and bonus information, benefits information, beneficiary designations, retirement account information, tax rate and withholding information, drug screen results, fitness for duty or physical exam results, performance and evaluations of performance, disciplinary action, counseling and separation, periods of unemployment or self-employment, and job responsibilities held.
<b>Inferences drawn from other Personal Information</b>	We may include inferences drawn from any of the Personal Information identified in the categories listed in this Notice that we may keep. This Personal Information may include a person's preferences, physical characteristics or description, characteristic tendencies, physiological trends, predispositions, behaviors, attitudes, intelligence, abilities, and aptitudes.
<b>Information used to reimburse for certain interview and business-related expenses</b>	Dates, miles driven, and destinations of travel; forms of transportation used, including but not limited to personal vehicle, airplanes, taxis, buses, and ferries on the dates of travel; hotels stayed at, details of food and drinks consumed, and business expenses incurred.



Category of Information	Examples (not all inclusive)
<p><b>Prehire documents, including results of background checks and other preemployment screening</b></p>	<p>Job applications, resumes, candidate evaluations, education verification, criminal records, drug screen, driver's license checks, and body temperature screens and testing results for COVID-19 or other communicable/transmissible viruses or diseases where an individual with the virus or disease would pose a direct threat to the health of others.</p>
<p><b>Emergency contact information</b></p>	<p>Emergency contact name, telephone number, address, and relationship to you.</p>
<p><b>Internet or other similar network activity</b></p>	<p>Browsing history, search history, and information on a consumer's interaction with a website, application or advertisement.</p>
<p><b>Biometric information</b></p>	<p>Genetic, physiological, behavioral, and biological characteristics or activity patterns used to extract a template or other identifier or identifying information, such as fingerprints, facial scans, voiceprints or voice recognition, iris or retina scans, keystroke cadence, gait, or other physical patterns or any other biometric identifier that we may use for security, other operational purposes, or our voluntary wellness program.</p>
<p><b>Education information</b></p>	<p>Schools and dates attended, degrees and certificates awarded/earned or in process, grades achieved in education courses, recognition received for educational efforts, vocational trainings, and certifications and transcript information.</p>
<p><b>Geolocation data</b></p>	<p>Information collected through GPS technology, including GPS coordinates, location-tracking information, physical location, or movements.</p>



Personal Information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.
- Information excluded from the CCPA's scope, such as:
  - Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information (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.

## II. Sources of Personal Information

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We obtain the categories of personal information listed above from the following categories of sources:

**Directly from you or your agents.** For example, the Personal Information you provide to us or provided to us by your agent in connection with your job application or application for Arthrex benefits. We will also collect the Personal Information you provide us throughout the duration of your employment or service to Arthrex.

**From your beneficiaries and dependents.** For example, your beneficiaries and dependents may provide us with your Personal Information in the course of their receipt of benefits provided or administered by Arthrex.

**From our service providers.** For example, we may collect your Personal Information from a service provider that conducts background checks for Arthrex. We may also receive your Personal Information from service providers who help us run our business, including our payroll, software, travel management providers, etc.

**From our workforce members.** For example, if a workforce member provides Personal Information in connection with an application for Arthrex-provided benefits.

**From benefit administrators.** For example, we may receive Personal Information about you from the companies that administer the benefit plans offered by Arthrex.

**From third parties.** For example, a third-party recruiter may provide your Personal Information to us in connection with our search for a workforce member. We may also receive Personal Information from your medical provider in connection with an absence from work or other medical need you may have.

**Automatically.** For example, we may automatically collect Personal Information from the computers and other devices that you use in the course of being a workforce member or that are used by third parties that interact with Arthrex. We may also collect such Personal Information from the electronic platforms we provide to you, including Arthrex's email, word processing and "chat" platforms.

## III. Use of Personal Information

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We may use or disclose the Personal Information we collect for one or more of the following business, management, and administrative purposes:

- To enable us to manage the recruitment and onboarding process, including:
  - To open and maintain your job applicant record.
  - To assess your eligibility and qualifications for positions with Arthrex and to fulfill our obligations to regulators (including demonstrating suitability of individuals for their roles).
  - Where applicable, to assess one's working capacity and make necessary accommodations.
  - To determine your eligibility to work and fulfill our obligations to relevant government authorities.
  - To obtain a preemployment background check and/or drug screen.
  - To reimburse you for certain interview or business-related expenses.
  - To notify your designee in the event of an emergency.
  - To make employment and/or job-related decisions.
  - To communicate with you during the interview and hiring process.
- To enable us to manage/administer our workforce and your employment or potential employment, including to support and respond to your inquiries; create staff directories; monitor staff; verify employment; and manage attendance, absences, and other time off; and determine eligibility for wage increases, bonuses, incentive-based compensation.
- To support our organizational and operational functions.
- To maintain your contact information and to include contact details for your dependents and other designees as provided by you in case of personal or business emergency.
- To contact you and inform you about benefits, compensation, or other information pertaining to your employment or potential employment and to administer and manage a range of medical, dental, vision, retirement, disability, wellness, and other benefits for you and your beneficiaries, including recording and processing eligibility of dependents, absence and leave monitoring, and insurance.



- To provide employee data maintenance and support services, administration of separation of employment, approvals and authorization procedures, administration and handling of employee claims, and travel administration.
- To enable us to pay and reimburse for expenses, including salary/wage administration, payroll management, payment of expenses; to manage applicable tax withholding and reporting; and to administer other compensation-related payments, including assigning amounts of bonus and commission payments to individuals.
- To manage and analyze all aspects of performance, including conducting performance reviews, performance appraisals, performance tracking, career planning, skills monitoring, job moves, promotions, talent acquisition/management, and staff restructuring.
- To monitor work-related licenses and credentials, including provisioning software licenses for use in the course of an employee's work-related responsibilities, ensuring compliance, training, examination, and other requirements are met with applicable regulatory bodies.
- To administer international (or interstate) assignments, including relocation services, documenting assignment terms and conditions, obtaining relevant immigration documents, initiating vendor services, fulfilling home/host country tax administration and filing obligations, and addressing health requirements.
- To monitor and ensure your eligibility to work in the U.S., which means monitoring and ensuring compliance of employees' ability to work in the U.S.
- To enable healthcare-related services, including conducting preemployment drug screenings and employment-related medical screenings, including for return to work processes and medical case management needs; determining medical suitability for particular tasks; identifying health needs of employees to plan and provide appropriate services, including operation of sickness policies and procedures.
- To facilitate a better working environment, which includes conducting staff surveys, providing senior management information about other workforce members, and conducting training.
- To ensure a healthy, safe, and efficient working environment, including investigations of accidents, injuries, violations of policies or procedures or other alleged wrongdoing as well as Arthrex's actions relating to disciplinary actions.
- To maintain the safety, security, and integrity of our systems, infrastructure, databases, property, equipment, facilities, website, other technology assets, and our business, including to detect security incidents, conduct training, monitor email and internet access, and conduct investigations and take other actions as required or permitted by applicable law to defend Arthrex and its workforce members.
- For research, analysis, and business and strategic development, including to develop and improve our business processes, products, strategies, technological developments, website, and services.
- To establish or defend legal claims and allegations, including to pursue our legitimate interests and protect our legal position in connection with any legal proceedings involving Arthrex.
- As necessary or appropriate to conduct audits or protect the rights, property, or safety of us, our customers, or others.
- To comply with legal and regulatory obligations, government regulatory requests, court orders, subpoenas, or other law enforcement requests as well as internal company reporting obligations, including head count, management information, demographic, and other required reporting.
- For security or the prevention, detection, or investigation of suspected or actual security or cybersecurity incidents, theft, misconduct, violations of Arthrex policies or procedures, or malicious, deceptive, fraudulent, or illegal activity.
- For backups and archives in connection with disaster recovery, business continuity, and recordkeeping obligations.
- To seek advice from lawyers, auditors, and other professional advisers.
- As described to you when collecting your Personal Information or as otherwise set forth in the CCPA or subsequently agreed to by you.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Arthrex's assets, whether as an ongoing concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by Arthrex is among the assets transferred.
- For intercompany, including international, transfers of personal Human Resource information for management purposes.

We 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 with notice.

More information about our privacy practices can be found in our Privacy Policy.



## IV. Sharing Personal Information

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In connection with Arthrex's collection and use of your Personal Information as described above, Arthrex may disclose your Personal Information in the following ways:

- With our affiliates and related entities.
- On our online platforms. For example, this may include sharing pictures of you on our website and our social media pages.
- With service providers, vendors, consultants, and benefits administrators.
- With our auditors, actuaries, accountants, attorneys, governments, administrative service providers, security consultants, or other third parties as required or permitted by applicable law.
- As directed or authorized by you, including when we perform employee background screenings.
- To comply with the law or to protect Arthrex and workforce members. This includes responding to court orders, subpoenas, warrants, or establishing or defending claims and allegations involving Arthrex and its workforce. This may also include sharing your Personal Information if a government agency or investigatory body requests this data. We may share also your Personal Information when we are investigating a security incident, allegation, or a potential fraud or violation of law.
- With any successors or prospective successors to all or part of our organization. For example, if we merge with, acquire or are acquired, or sell part of our organization to another entity, or if any such actions are under consideration by Arthrex—This may include an asset sale, corporate reorganization, or other change of control.
- As otherwise described to you when collecting your Personal Information or as otherwise set forth in or permitted in the CCPA.

Notwithstanding the foregoing, Arthrex: i) does not sell or otherwise disclose Personal Information to any third parties for any monetary consideration; ii) only shares Personal Information with service providers whom you or your agents authorize us to disclose your Personal Information to and only to the extent necessary in connection with your prospective employment, employment, and Arthrex's human resource activities; and iii) discloses Personal Information when required to by local, state, or federal law. When we disclose Personal Information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract.

## V. Changes To This Notice

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Arthrex reserves the right to amend this Notice at our discretion and at any time. When we make changes to this Notice, we will make available the updated Notice, as required by law, including by posting the updated Notice on the internet and updating the Notice's "Last Updated" date. Your continued use of Arthrex's website and/or services as well as the continuation of your employment or contract with Arthrex following the posting of any such changes constitutes your acceptance of such changes.

## VI. Questions/Contact Information

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If you have any questions about this Notice, or to request this Notice in another format, please contact our Privacy Compliance Team toll-free at 1-866-363-3096 or by email at [AskCompliance@arthrex.com](mailto:AskCompliance@arthrex.com).

