

California Employee Privacy Notice

Effective Date: July 1, 2020

Cygnus Home Service, LLC dba Schwan's Home Delivery has created this Privacy Policy in compliance with applicable laws and in order to demonstrate our firm commitment to privacy. This Privacy Policy describes how Schwan's Home Delivery collects, uses, discloses, transfers, stores, retains or otherwise processes your information during the application, recruitment, onboarding, employment or consulting/contracting processes and activities, for applicants, employees, owners, directors, officers and contractors, ("Employees") including through the Internet domains owned or operated by Schwan's Home Delivery, which include, but are not limited to:

Schwans.com

Cygnusjobs.com

UltiPro

We refer to the above websites and all related websites as "sites" and to each of them as a "site." When we refer to "we," "us," "our," or "SHD" we mean Schwan's Home Delivery. When we refer to "you" or "your," we mean the Employee accessing the site. If the Employee accessing the site does so on behalf of, or for the purposes of, another person, including a business or other organization, "you" or "your" also means that other person, including a business organization.

OUR PRIVACY POLICY INCLUDES:

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POLICY APPLICATION

This Privacy Policy applies solely to Employees, who reside in the State of California. Schwan's Home Delivery adopts this policy to provide you information regarding Schwan's Home Delivery's policies and practices for collection, sharing and use of California resident, personal information for the application, employment and contracting processes, and to comply with California Consumer Privacy Act of 2018, as amended and related regulations ("CCPA"). Any terms defined in the CCPA have the same meaning when used in this notice. This Privacy Policy describes the categories of Personal Information that Schwan's Home Delivery collects, how

Schwan's Home Delivery uses your Personal Information, how we secure your Personal information and when we may disclose your Personal Information to third parties. We will process your Personal Information in accordance with this Privacy Policy unless otherwise required by applicable law. Schwan's Home Delivery takes steps to ensure that the Personal Information that we collect about you is adequate, relevant, not excessive and processed for limited purposes.

Please read this Privacy Policy carefully. By continuing to apply for a position with Schwan's Home Delivery, or continuing your employment, contractor or similar status with us, you are consenting to the practices described in this Privacy Policy.

COLLECTION OF PERSONAL INFORMATION

For purposes of this Privacy Policy, "Personal Information" means any information about an identifiable individual collected in connection with the recruitment, employment or contracting processes. Schwan's Home Delivery may collect Personal Information directly from you for these processes, or may receive Personal Information from third parties, for example, in connection with a background, employment, or reference check, subject to your consent where required by law. Personal Information excludes anonymous or de-identified data that is not associated with a particular individual.

We may collect, store, and process the following categories of Personal Information in connection with our recruiting activities:

Collection of Technical Information, Usage Information and Cookies Policy

Like many online platforms, Schwan's Home Delivery and its analytics vendors use server logs and automated data collection tools, such as browser cookies, pixel tags, scripts and web beacons. These tools are used for analytics purposes to enable Schwan's Home Delivery to understand how users interact with the sites and functions. Schwan's Home Delivery and its analytics vendors may tie the information gathered by these means to the identity of users.

Cookies are small text files placed on a computer or device while browsing the Internet. Cookies are used to collect, store and share bits of information about user activities. Schwan's Home Delivery uses both session cookies and persistent cookies.

Session cookies are used to identify a particular visit to Schwan's Home Delivery sites and collect information about your interaction with the sites. These cookies expire after a short time or when the user closes their web browser after using the sites. Schwan's Home Delivery uses these cookies to identify a user during a single browsing session, such as when you log into the sites. This helps Schwan's Home Delivery improve the sites and functions as well as improve the users' browsing experience.

A persistent cookie will remain on a user's device for a set period of time specified in the cookie. Schwan's Home Delivery uses these cookies to identify and recognize a specific user over a longer period of time. They allow Schwan's Home Delivery to:

- analyze the usage of the sites (e.g. what links users click on) in order to improve our offering;

- test different versions of the sites to see which particular features or content users prefer to optimize the sites;
- provide a more personalized experience to users with more relevant content and course recommendations; and
- allow users to more easily log in to use the sites and Services.

Examples of persistent cookies include: (i) preferences cookies to remember information about a user's browser and settings preferences, such as preferred language – preference cookies make a user's experience more functional and customized, (ii) authentication and security cookies to enable a user to log in or stay logged in to access the sites and functions, to protect user accounts against fraudulent log-ins by others and to help detect and protect against abuse or unauthorized usage of user accounts and (iii) functional cookies to make the experience of using the sites and functions better, like remembering the sound volume level selected by the user.

Schwan's Home Delivery uses tracking technology to: (i) determine if a certain page was visited or whether an email sent by Schwan's Home Delivery was opened or clicked on by a user; and (ii) to customize the experience of individual users by recommending specific content.

We also use clear gifs in HTML-based emails sent to our users to track which emails are opened and clicked on by recipients. We may use the information we obtain from the cookie in the administration of the sites, to improve the usability of the sites and for marketing purposes. We may also use that information to recognize your computer when you visit our sites, and to personalize our sites for you.

Cookies and information captured through our sites are stored for a certain retention period, however you can eliminate these cookies any time before the expiration date.

You can adjust the settings in your browser in order to restrict or block cookies that are set by the sites (or any other website on the Internet). Your browser may include information on how to adjust your settings. Alternatively, you may visit www.allaboutcookies.org to obtain comprehensive general information about cookies and how to adjust the cookie settings on various browsers. This site also explains how to delete cookies from your computer.

You can control and delete these cookies through your browser settings through the following:

- [Google Chrome](#)
- [Mozilla Firefox](#)
- [Safari](#)
- [Opera](#)
- [Microsoft Internet Explorer](#)
- [Microsoft Edge](#)
- [Safari for iOS \(iPhone and iPad\)](#)
- [Chrome for Android](#)

Please be aware that restricting cookies may impact the functionality of the Services. Most browsers allow you to refuse to accept cookies. Additional general information about cookies, including how to be notified about the placement of new cookies and how to disable cookies, can be found at www.allaboutcookies.org.

Do Not Track

Do Not Track (“DNT”) is an optional browser setting that allows you to express your preferences regarding tracking across websites. Most modern web browsers give you the option to send a Do Not Track signal to the websites you visit, indicating that you do not wish to be tracked. However, there is no accepted standard for how a website should respond to this signal, so we do not take any action in response to this signal. Schwan's Home Delivery does not have a mechanism in place to respond to DNT signals. Instead, in addition to publicly available third-party tools, we offer you the choices described in this Privacy Policy to manage the collection and use of information about you.

Schwan's Home Delivery does track some activity across websites (including your search terms, the website you visited before you visited or used the Services and other clickstream data) and we may continue to collect information in the manner described in this Privacy Policy from web browsers that have enabled DNT signals or similar mechanisms.

Collection of Personal Information

At the initial stages of recruitment.

We may collect, hold and use the following categories of Personal Information about you, either electronically or in other ways:

- Information contained in your application form/resume/cover letter, including your name, title, contact details, employment history, experience, skills, qualifications and training including educational, vocational, driving licenses where appropriate.
- Publicly available information about you, such as your business social media presence (including any photographs of you posted to such site(s)), or other information related to profile information on your social media accounts as you control and designate, if you connect to our application process via your social media accounts.
- Selection information, including correspondence, interview notes, internal notes, the results of any written or online selection tests.
- Equal opportunity monitoring data which could include information about your race or ethnicity, gender, military service or disability information. We only use this information to monitor equality of opportunity and diversity in our recruitment process.
- Information relevant to any request by you for accommodations to the recruitment process as a result of an underlying medical condition or disability. We may use this information to enable us to carry out a fair, non-discriminatory recruitment process by considering/making reasonable adjustments to our process as appropriate.
- Any additional personal details that you otherwise voluntarily provide to us.

If you receive a conditional offer of employment, you commence employment, or we offer to engage you as a contractor or consultant.

We may collect, hold and use the following additional types of Personal Information about you:

- Pre-employment background check information, including references and verification of work experience, education and qualifications.
- Right to work checks such as U.S. Citizenship and Immigration Services I-9 Employment eligibility Verification, Social Security, and sex offender registry check, if necessary, for the position applied for, and related documents.
- Medical test results.
- Driver's license including your picture; Driving test results; driver motor vehicle records; Department of Transportation (DOT) Application of Employment; DOT Certificate of Violations; DOT Alcohol & Drug Testing/Accident History (if applicable to the position)
- Information about your health or mental state in a pre-employment medical questionnaire and/or examination, as well as any information about underlying medical conditions and adjustments that you have brought to our attention. We use this information to assess whether you are fit to do the job with adjustments, to consider/arrange suitable adjustments and to comply with health and safety requirements (if applicable to the position).
- Criminal records information (if applicable to the position). We use this information to assess your suitability for the position and verify information provided by you.
- Any additional personal details that you otherwise voluntarily provide to us (including Personal Information provided on your resume).
- Banking or other account information you provide for direct deposit of wages and the amount of compensation you receive.
- Information about your state, federal and local, (if any) tax withholding selections, garnishments, child support payments
- Information about your dependents, spouse, children, emergency contact designation.
- Information about your selection and details of employee benefits Schwan's Home Delivery may offer, and you choose to utilize, from time to time, such as health insurance benefits, short and long term disability insurance, dental insurance, retirement savings, and other available benefit programs.

USE OF PERSONAL INFORMATION

We only process your Personal Information where applicable law permits or requires it in connection with carrying out our application, recruitment, employment and consulting/contracting processes. We may process your Personal Information for the following legitimate business purposes:

- Identifying and evaluating job applicants, including assessing skills, qualifications, and interests.
- Verifying your information and carrying out employment, background, and reference checks, where applicable, subject to your consent where required by applicable law.
- Communicating with you about the recruitment process and your application and possibly make you aware of other open positions.

- Keeping records related to our hiring, employment and consulting/contracting processes.
- Creating and submitting reports as required by applicable laws or regulations.
- To comply with our legal, regulatory, or other corporate governance requirements.
- Analyzing and improving our application, recruitment, employment, consulting/contracting processes.
- Complying with applicable laws, such as DOT compliance obligations, regulations, legal processes, or enforceable government requests.
- To protect the rights and property of Schwan's Home Delivery, other job applicants, employees, consultants, contractors or the public, as required or permitted by law.
- For research, analysis, and business development, to improve business processes, and to evaluate a merger, restructuring, reorganization, or other sale or transfer of assets of Schwan's Home Delivery.

In addition to using your Personal Information for the position for which you have applied, we may retain and use your Personal Information to inform you about and consider you for other positions that may be appropriate for you. If you do not want to be considered for other positions or would like us to remove your Personal Information, you may send your request as indicated in the Contact Information section below.

We will only process your Personal Information for the purposes for which we collected it. We may process your Personal Information without your knowledge or consent where required by applicable law or regulation.

We may also process your Personal Information 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 our affiliated entities.

Where we have a legitimate need to process your Personal Information for purposes not identified above, we will do so only after providing you with notice and, if required by law, obtaining your prior, express consent.

CATEGORIES OF THIRD PARTIES WITH WHOM WE MAY SHARE YOUR PERSONAL INFORMATION

We do not sell your Personal Information to third parties, and we also do not allow the third parties with whom we share your Personal Information to sell it. Schwan's Home Delivery does not sell the Personal Information of minors under sixteen (16) years of age.

We will only disclose your Personal Information to third parties where required by law or to our employees, contractors, designated agents, or third-party service providers who require such information to assist us with administering the recruitment and employment process, including to third-party service providers who provide services to us or on our behalf. We may

use third-party service providers for various purposes, including, but not limited to, posting and hosting Schwan's Home Delivery job postings, obtaining employment verification, background checks, benefit administration, or providing communication services for related interactions with you, such as email.

We require all our third-party service providers, by written contract, to implement appropriate security measures to protect your Personal Information consistent with our policies and any data security obligations applicable to us. We do not permit our third-party service providers to use your Personal Information for their own purposes. We only permit them to process your Personal Information for specified purposes in accordance with our instructions.

We may also disclose your Personal Information for the following additional purposes where permitted or required by applicable law:

- To a recruiting firm to assist in our recruiting efforts.
- To other members of our group of companies (including outside of your home jurisdiction) for the purposes set out in this Privacy Policy and as necessary to administer the application, recruitment, employment and consulting/contracting process.
- As part of our regular reporting activities to other members of our group of companies.
- To comply with legal obligations or valid legal processes such as search warrants, garnishments, subpoenas, or court orders. When we disclose your Personal Information to comply with a legal obligation or legal process, we will take reasonable steps to ensure that we only disclose the minimum Personal Information necessary for the specific purpose and circumstances.
- To protect the rights and property of Schwan's Home Delivery.
- During emergency situations or where necessary to protect the safety of persons.
- Where the Personal Information is publicly available.
- For additional purposes with your consent where such consent is required by law.

NOTIFICATION

We only ask you to provide Personal Information that we need to enable us to make a decision about whether or not to offer you a role and to administer your employment, or contracting status, if applicable. For recruitment, if you do not provide particular information to us, then we will have to make a decision on whether or not to offer you a role without that information, which in some cases could result in us deciding not to recruit you. If you do not provide us with names of a reference when asked, we will not usually be able to offer you the role. In addition, some of the Personal Information you provide to us is required by law. For example, if you do not provide us with the documentation we need to check your right to work, then we cannot by law employ you.

If you choose not to provide us with Personal Information requested, we will tell you about the implications of any such decision at the relevant time.

LINKING SITES

The sites contain links to other websites. Schwan's Home Delivery is not responsible for the privacy practices or the content of such websites, including any websites that may indicate a special relationship or partnership with us (such as co-branded pages or "powered by" or "in cooperation with" relationships). We do not share information we gather with other websites or any other entities or individuals unless such sharing is disclosed to you in advance through this Privacy Policy. Other linked websites, however, may collect information from you that is not subject to our control. To ensure protection of your privacy, always review the privacy policy of the websites you may visit by linking from the sites. Please note that this Privacy Policy applies only to our sites, and not to other companies' or organizations' websites to which we link.

You may access our sites through third-party platforms, such as Facebook. If you use our sites on or through a third-party platform, including via any mobile and/or other Internet connected devices ("Wireless Devices"), or click on third-party links, the collection, use, and disclosure of your information and your use of the sites will also be subject to the privacy policies and other terms of such third parties or third-party platforms. You should review such privacy policies, terms and other agreements.

HOW LONG WE RETAIN YOUR INFORMATION

We generally retain your information as long as reasonably necessary for your application and employment or contracting relationship, to comply with applicable law and in accordance with our document retention policy. To determine the appropriate retention period for Personal Information, we consider the amount, nature and sensitivity of the Personal Information, the potential risk of harm from unauthorized use or disclosure of your Personal Information, the purposes for which we process your Personal Information and whether we can achieve those purposes through other means and the applicable legal requirements. We may retain copies of information about you and our relationship for a period of time that is consistent with applicable law, applicable statute of limitations or as we believe is reasonably necessary to comply with applicable law, regulation, legal process or governmental request, to resolve disputes, to assist with investigations, to enforce other applicable agreements or policies or to take any other actions consistent with applicable law.

In some circumstances we may de-identify your Personal Information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you. This allows the specific information collected (name, email, address, phone number, etc.) to become anonymous, but allows Schwan's Home Delivery to keep the application, employment or contractor data. For example, Schwan's Home Delivery will not be able to tell if John Smith performed certain assigned tasks, but we will be able to tell that a person performed certain tasks, and to maintain headcount and transactional history. This will allow Schwan's Home Delivery to maintain a level of information that helps us develop and improve our performance, and our application and employment experience.

INFORMATION SECURITY

We take reasonable measures, including administrative, technical, and physical safeguards, to protect your information from loss, theft, misuse, and unauthorized access, disclosure,

alteration, and destruction. We hold information about you both at our own premises and with the assistance of third-party service providers. Further public disclosure here of our security measures could aid those who might attempt to circumvent those security measures. If you have additional questions regarding security, please feel free to contact us directly using the information provided under **CONTACT INFORMATION**. To ensure that our employees comply with our privacy policies, we have developed a training program that provides all employees with the tools and knowledge to protect your Personal Information in all aspects of their work. Any employee who violates our privacy policies is subject to disciplinary action, including possible termination and civil and/or criminal prosecution.

CHANGES TO THIS PRIVACY POLICY

This Privacy Policy may be revised from time to time as we add new application, recruitment or employment processes, as laws change and as industry privacy and security best practices evolve. We display an effective date on this Privacy Policy at the top of this Privacy Policy so that it will be easier for you to know when there has been a change. If we make any material change to this Privacy Policy regarding use or disclosure of Personal Information, we will provide notice on our sites. Changes will apply to information collected after the change is effective. Please check this Privacy Policy periodically for changes. Small changes or changes that do not significantly affect individual privacy interests may be made at any time and without prior notice. Your use of the sites constitutes acceptance of the provisions of this Privacy Policy and your continued usage and sharing of your Personal Information with us, after such changes are posted constitutes acceptance of each revised Privacy Policy. If you do not agree to the terms of this Privacy Policy or any revised Privacy Policy, please exit the sites immediately. If you have any questions about this Privacy Policy, the practices of the sites or your dealings with the sites, you can contact us by using the information provided under **CONTACT INFORMATION**.

CONTACT INFORMATION

Please contact Schwan's Home Delivery with any questions or concerns regarding this Privacy Policy.

Attention: Legal Privacy Policy
Cygnum Home Service, LLC dba Schwan's Home Delivery
115 West College Dr
Marshall, MN 56258
TOLL-FREE NUMBER: **866-996-1550**

If you have any questions or concerns regarding our Privacy Policy, or if you believe our Privacy Policy or applicable laws relating to the protection of your Personal Information have not been respected, you may file a complaint with Schwan's Home Delivery using the contact information listed above, and we will respond to let you know who will be handling your matter and when you can expect a further response. We may request additional details from

you regarding your concerns and may need to engage or consult with other parties in order to investigate and address your issue. We may keep records of your request and any resolution.