

**Last Updated Date:** April 1, 2023

## **California Privacy Notice Job Candidate and Employment Context**

This Privacy Notice applies only to California residents and describes how Troutman Pepper Hamilton Sanders LLP and its wholly owned subsidiaries (collectively, "Troutman Pepper") collect, use, disclose, or otherwise process information that relates to individuals ("Personal Information") who are job applicants, employees, independent contractors, or partners of Troutman Pepper (collectively, the "Job Candidate and Employment Context").

We encourage you to read this Privacy Notice carefully as it describes our information practices in the Job Candidate and Employment Context and explains what data rights you may have under California law.

### **1) Personal Information We Collect**

We may have collected the Personal Information listed below in the last 12 months. This Personal Information may pertain to you, or to your spouse, dependents, beneficiaries, emergency contacts, or other individuals associated with you.

- **Identifiers**, such as name, alias, postal address, email address, Social Security number, government-issued identification numbers (e.g., driver's license, state identification, or passport number), date of birth, telephone number, signature, assigned employee number, or other similar identifiers.
- **Demographic Information**, which may include information about protected classifications, such as your age, gender, gender identity, race, ethnicity, citizenship, sexual orientation, marital status, disability, languages, or veteran or military status.
- **Financial Information**, such as payroll information, bank account and routing number, and tax-related information.
- **KeyCard Information**, which refers to the information we collect when you enter a Troutman Pepper office location using your assigned KeyCard. KeyCard information includes, for example, the date, time, and location of your KeyCard access.
- **Professional Information**, such as resumes, employment history, employment verification information, promotions, service dates, training information, length of service, compensation, current department/position, employment status, job performance, attendance records, disciplinary actions, relocation information, employee development information, or other employment-related information. We may also collect information concerning the organizations with which you are affiliated (e.g., volunteer information), and your professional memberships, qualifications, and certifications.
- **Educational Information**, such as the institutions attended, graduation dates, degrees, field of study, education verification information, level of education, degrees received, and certifications.
- **Medical or Health Information**, such as benefits-related information (e.g., wellness information, COBRA information, healthcare plan information, insurance information); disability claims records (e.g., workers' compensation records and disability claims records); medical reports or records (e.g., pre-employment drug tests and medical/benefits-related documentation); and information relating to pregnancy or childbirth.
- **Audio or Visual Information**, such as the content of video interviews and conferences, security cameras, call recordings, and similar types of information.
- **Device Information**, such as information pertaining to the device through which you interact with us or use within the Job Candidate and Employment Context (e.g., the type of device and IP address, that device's operating system and version, MAC address, user settings, or your browser type).

- **Internet or Other Electronic Network Activity Information**, such as browsing history, search history, online applications used (e.g., applications found within our Intranet site), and information regarding your interaction with a website or application in the Job Candidate and Employment Context.
- **Geolocation Information**, such as the region or general location where your computer or device is accessing the internet.
- **Sensitive Personal Information**, such as Social Security, driver's license, state identification card, or passport number; racial or ethnic origin; certain health-related information; and sexual orientation.

## 2) How We Use Personal Information

We use Personal Information for a variety of business purposes in the Job Candidate and Employment Context, including the following:

- **for human resource purposes**, including processing job applications, administering benefits, processing payroll, conducting analytics, or managing other aspects of an employment relationship including, but not limited to, the establishment, maintenance, and termination of employment relationships.
- **determining eligibility for initial employment**, including the verification of references and qualifications and processing background checks of new applicants.
- **managing the terms and conditions of employment**, such as payment of wages/salary, direct deposit authorization, the provision and administration of benefits and leaves of absence, and maintenance of emergency and beneficiary contact information.
- **to process employment-related claims**, such as worker compensation and insurance claims.
- **for work-related incidents**, which may include investigating and addressing injuries, and other employment-related actions.
- **for safety-related reasons**, including to provide a safe work environment and administer our occupational safety and health programs.
- **for professional development purposes**, including administering our training programs and submission of registration, training, or education information to regulatory bodies, such as bar organizations.
- **in connection with MobileOne**, which is a Troutman Pepper mobile application that may display your presence in one of our office locations based on the KeyCard Information described above. If you have previously consented to MobileOne's use of your Personal Information in this context, you can opt-out of such use by adjusting your settings.
- **for immigration purposes**, including to assist you with obtaining immigration or work documentation, when required.
- **for work-related programs and initiatives**, including surveys, events, and volunteer programs.
- **for research and analytical purposes**, including to understand how you interact with our websites, mobile applications, and digital properties and how you use the benefits and services that we offer.
- **for compliance, fraud prevention, and legal proceedings**, including to maintain the security of our clients, employees, and property; to respond to court orders, legal proceedings, subpoenas, and government requests; to support legal and regulatory compliance; to detect, prevent, and respond to actual or potential fraud or security incidents, illegal activities, or intellectual property infringement; and to prosecute or defend against legal claims.

- **for law enforcement purposes**, such as to cooperate with law enforcement agencies concerning conduct or activity that may violate federal, state, or local law.
- **to respond to, communicate with, or notify you**, including to send you notices, updates, alerts, and other work-related messages.
- **for diversity, equity, and inclusion (DEI) purposes**, including to administer our DEI program and initiatives.
- **for purposes that you have otherwise consented to**, including at the time the Personal Information is collected.
- **for other business purposes**, including to operate and improve our business; maintain a directory of our employees; internal administration; and for any other business purpose permitted by law.

### 3) How We Disclose Personal Information

We may disclose the Personal Information we collect only as outlined below.

- **Service Providers.** We may disclose your Personal Information to third parties that provide services on our behalf or help us operate our business, including services relating to payroll, benefits, background checks, recruiting, hosting, analytics, email delivery, and database management. These third parties may use Personal Information only as directed or authorized by us and are prohibited from using or disclosing Personal Information for any other purpose.

Our Service Providers include third-party analytics providers (e.g., Google Analytics) that may use cookies and other online collection technologies on our websites, mobile applications, and digital properties, in support of our research and analytics efforts, including to better understand your use of our technologies, improve those technologies, and optimize your experience and interactions. For more information about how Google Analytics uses information, please visit [Google Analytics' Privacy Policy](#). To opt out of Google Analytics' use of your information, click [here](#).

- **Professional Advisors.** We may disclose your Personal Information to professional advisors, such as lawyers, auditors, and insurers, when necessary.
- **Legal Compliance and Safety.** We may disclose your Personal Information for the compliance, fraud prevention, safety, and legal proceedings described above in [Section 2](#) (How We Use Personal Information).
- **Business Transfers.** We may disclose your Personal Information in connection with a business transaction (or potential business transaction), such as a merger, consolidation, acquisition, or in connection with a reorganization, bankruptcy, or dissolution.
- **Your Consent or Instruction.** We may disclose your Personal Information when we have your consent or instruction to do so.

We may disclose anonymous, de-identified, or aggregate information that cannot reasonably identify you with others for any purpose, as permitted by applicable law. Please note that any Personal Information that you post to a profile, blog, comment section, or forum on our online platforms or social media pages may be available to other users of those forums or, in some cases, made publicly available.

### 4) Categories of Personal Information Disclosed and Categories of Recipients

We may have disclosed any Personal Information collected in the preceding 12 months (listed in [Section 1](#) above) for purposes consistent with this Privacy Notice (listed in [Section 3](#) above).

## 5) Sources of Personal Information

We collect the Personal Information identified above from various sources, including directly from you (e.g., when you apply for a job or during the course of your employment); from our Service Providers; from third parties who may provide us with referrals and recommendations; and from the social media platforms and networks that we use. Some of the Personal Information may also be automatically collected or generated, including through our use of cookies and other online collection technologies on our websites, mobile applications, and other digital properties (collectively, "Collection Technologies").

Our use of Collection Technologies generally falls into the categories listed below. Please note that these are the main ways of classifying cookies, although there may be other cookies that will not fit neatly into these categories or may qualify for multiple categories.

<b>Strictly Necessary</b>	Cookies that are necessary for our websites to function and cannot be switched off in our systems. They are usually only set in response to your actions or request for services, such as setting your privacy preferences, logging in, or filling in forms.
<b>Functional</b>	Cookies that enable our website to provide enhanced functionality and personalization based on your interaction with the website (for example, to store your site preferences and choices such as username, region, and language).
<b>Analytics and Performance</b>	Cookies that gather data on how visitors use a website or other digital properties (for example, page visit counts, idle time by a user on a page, bounce rates, and load speeds).

If you wish, you can choose how web browser cookies are handled by your device via your browser settings. Some devices allow you to control this through your device settings. Each browser and device is different, so check the settings menu of the browser or device to learn how to change your settings and cookie preferences.

Many browser manufacturers provide helpful information about cookie management, including, but not limited to:

- [Google Chrome](#)
- [Internet Explorer](#)
- [Mozilla Firefox](#)
- [Safari \(Desktop\) or Safari \(Mobile\)](#)
- [Android Browser](#)

If you choose not to receive cookies at any time, websites may not function properly, and certain services may not be provided.

## 6) Retention of Personal Information

We retain your Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Notice unless a longer retention period is required or permitted by law. Please note that in many situations we must retain all, or a portion, of your Personal Information to comply with our legal obligations, resolve disputes, enforce our agreements, to protect against fraudulent, deceptive, or illegal activity, or for another business purpose.

## 7) Security Practices

We have implemented certain administrative, physical, and technical security measures to help protect against loss, misuse, or alteration of your Personal Information. While we use commercially acceptable means to protect your Personal Information, no method of transmission over the Internet is 100 percent secure. As a result, we cannot guarantee the absolute security of your Personal Information. To the fullest extent permitted by applicable law, we do not accept liability for unauthorized access, use, disclosure, or loss of Personal Information.

## 8) Links to Other Websites and Services

In the Job Candidate and Employment Context, you may be provided with links to Internet sites, content, or videos (embedded or direct links) maintained by third parties. We are not responsible for the sites, content, or videos available via those links, and we have not reviewed the privacy practices of those third parties. We encourage you to review the privacy practices of any third-party sites that you choose to access.

## 9) Changes to this Privacy Notice

We may update this Privacy Notice periodically, noting the date of revision. If we make any material changes in the way we collect, use, and/or disclose your Personal Information, we will endeavor to provide you with notice before such changes take effect. Your continued relationship with us in the Job Candidate and Employment Context will constitute your agreement to our information practices.

## 10) Your California Privacy Rights

a) **California Privacy Rights.** Subject to certain limitations, California residents have the following rights regarding their Personal Information.

- **Request to Know.** You have a right to request that we disclose what Personal Information we have collected about you, including the categories of your Personal Information we have collected, the categories of sources from which such Personal Information is collected, the business or commercial purpose for collecting, selling, or sharing your Personal Information, the categories of third parties to whom we disclose your Personal Information, and the specific pieces of your Personal Information that we maintain.
- **Request to Delete.** You have a right to request that we delete Personal Information that we have collected about you, subject to certain exceptions.
- **Request to Correct Inaccurate Personal Information.** You have a right to request that we correct inaccurate Personal Information that we may maintain about you.
- **Request to Opt-Out of the “Selling” or “Sharing” of Your Personal Information.** You have a right to opt out of the “selling” or “sharing” of your Personal Information; however, we do not sell or share any Personal Information that we collect about you in the Job Candidate and Employment Context.
- **Right to Limit Use and Disclosure of Sensitive Personal Information.** You have a right to limit the use of your Sensitive Personal Information to certain purposes permitted by law; however, because our use and disclosure of Sensitive Personal Information is already limited in the Job Candidate and Employment Context, as described above, you do not need to take any further action to limit the use or disclosure of your Sensitive Personal Information.
- **Right to No Discrimination.** You have a right not to receive discriminatory treatment for the exercise of your privacy rights.

### b) Exercising Your California Privacy Rights

- **How to Submit a Request to Know, Request to Delete, or Request to Correct.** You may submit a request by contacting us at [privacy@troutman.com](mailto:privacy@troutman.com) or 800-255-8752.
- **Authorized Agent.** Only you, or someone legally authorized to act on your behalf, may submit a request relating to your Personal Information. To authorize an agent to submit a request on your behalf, please provide written authorization signed by you and your designated agent. You may contact us at [privacy@troutman.com](mailto:privacy@troutman.com) for additional instructions.
- **Verification.** To protect your privacy, we will take steps to verify your identity before fulfilling your request. These steps may involve asking you to provide sufficient information that allows us to confirm

you are the person about whom we collected Personal Information or an authorized representative, or to answer questions regarding your employment relationship or recent interactions with us.

## 11) How to Contact Us

If you have comments or questions about this Privacy Notice or our information practices, please contact us using the following methods:

- **Mail:** Troutman Pepper Hamilton Sanders LLP, Attention: General Counsel, 600 Peachtree Street, Suite 3000, Atlanta, GA, 30308
- **Telephone:** 800-255-8752
- **Email:** [privacy@troutman.com](mailto:privacy@troutman.com)