

OPSWAT Inc. California Consumer Privacy Act Notice for Employees and Job Candidates

Last Updated: October 11, 2023

This California Consumer Privacy Act Notice for Employees and Job Candidates (“**Notice**”) is provided by OPSWAT Inc. (“**OPSWAT**”, “**we**”, “**us**”, and “**our**”). This Notice explains how we collect, use, and disclose personal information about you as an employee of OPSWAT, a candidate applying for a job at OPSWAT, and certain contractors and agents acting in similar roles and residing in California (“**you**” or “**your**”). This Notice also explains the rights you have under the California Consumer Privacy Act, as amended by the California Privacy Rights Act (collectively, “**CCPA**”).

For the purpose of this Notice:

- “**Personal information**” is information that identifies, relates to, or could reasonably be linked with a particular California resident or household.
- “**Sensitive personal information**” is a sub-category of personal information including:
 - Government identifiers (e.g., Social Security, driver's license, state identification card, or passport number)
 - Complete account access credentials (i.e., user names, account numbers, or card numbers combined with required access/security code or password);
 - Precise geolocation;
 - Racial or ethnic origin, religious or philosophical beliefs, or union membership;
 - Mail, email, and text messages contents, unless the business is the intended recipient of the communication;
 - Genetic data;
 - Unique identifying biometric information; or
 - Health, sex life, or sexual orientation information.

1. Categories of Personal Information We Collect

We have collected the following categories of personal information within the last twelve (12) months. This personal information may pertain to you or to your spouse, dependents, beneficiaries, emergency contacts, or other individuals associated with you.

Category	Types of Personal Information Collected
A. Identifiers	Real name, alias, postal address, telephone number, emergency contact information, internet protocol address, email address, usernames and passwords for OPSWAT systems, Social Security Number, and information

Category	Types of Personal Information Collected
	voluntarily provided as a part of the I-9 verification process (e.g., driver's license number, state identification card number, or a passport number).
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	Name, signature, Social Security Number, address, telephone number, emergency contact information, information voluntarily provided as a part of the I-9 verification process (e.g., driver's license number, state identification card number, or a passport number), background check information (e.g., criminal records), signature, photographs voluntarily provided by you, T-shirt sizes voluntarily provided for obtaining an OPSWAT T-shirt upon onboarding, insurance policy number, education, employment, bank account number, corporate or personal credit card numbers, other financial information, physical illness, and mental illness or disabilities. Some personal information included in this category may overlap with other categories.
C. Protected classification characteristics under California or federal law	Information about race, age, national origin, physical and/or mental disability, gender, citizenship, marital status (for beneficiary purposes), pregnancy or childbirth, protected classification information contained in leaves of absence requests, and veteran/military status
D. Commercial information	Purchasing or consuming histories or tendencies from expense reports filed with OPSWAT.
F. Internet or other electronic network activity information	IP address, browsing history, search history, and information regarding your interaction with an internet website, application, or advertisement, including your login, downloads, and other activity on OPSWAT network and other electronic resources.
H. Audio, electronic, visual, thermal, olfactory, or similar information	Call recordings (audio and video), security cameras (e.g., face imagery), and photographs voluntarily provided by you.
I. Professional or employment-related information	Compensation, bonuses, equity grants, pensions, benefits, attendance, evaluations, performance reviews, discipline actions, employment contracts, terminations, promotions, personnel files, expenses, education (i.e., degrees, transcripts, achievements, dates attended, institutions), membership in professional organizations, professional certifications, licenses, work eligibility (e.g., visa status), current and past employment history, and background screening information.
J. Non-public education information (per the Family	Education level, school attended, grades, and transcripts.

Category	Types of Personal Information Collected
Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))	
K. Inferences drawn from other personal information	Preference information provided by you, including preferred meals, seating and other travel, working hours, workspace, and work supplies.

Additionally, we have collected the following categories of sensitive personal information from you within the last twelve (12) months:

Category	Types of Sensitive Personal Information Collected
A consumer's social security, driver's license, state identification card, or passport number	Social Security Number, information voluntarily provided as a part of the I-9 verification process (e.g., driver's license, state identification card, or passport number)
A consumer's racial or ethnic origin, religious or philosophical beliefs, or union membership	Race or ethnicity information required to be provided as a part of EEO-1 reporting
Personal information collected and analyzed concerning a consumer's health	Sick leave-related information, physical and/or mental disability, pregnancy or childbirth, health information contained in leaves of absence requests, contact with persons in the workplace during pandemic situations

2. Sources of Personal Information

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

- Directly from you (e.g., from your job application and through the onboarding process);
- Through your use of OPSWAT's network, systems, devices, and applications;
- Indirectly from you through our third-party service providers (e.g., your use of third-party systems made available to you by us);
- From your publicly available social media profiles (e.g., LinkedIn);
- From third-party service providers (e.g., information provided by our third-party background check provider and recruiting agencies); and
- From your former employers, schools and/or educational institutions, and job references provided by you.

3. Purposes for Collecting Personal Information

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To communicate with you;
- To manage our application and recruitment processes;

- To assess your skills, qualifications and interests for employment opportunities with OPSWAT;
- To verify the information provided by you or others, including checking your references;
- If you are offered a position, to prepare your offer letter and conduct a background check (to the extent permitted by applicable law);
- To fulfill our rights and obligations as your employer;
- To communicate with OPSWAT's prospective, current, and former customers, resellers, distributors, and other business partners (i.e., providing your contact information);
- To protect the safety and security of our workforce, guests, property, and assets (including controlling and facilitating access to and monitoring activity on and in our premises and activity using our computers, devices, networks, communications and other assets and resources);
- To defend OPSWAT's legal rights, including investigating and responding to claims against us;
- To comply with applicable laws (e.g., health and safety, employment laws, office of foreign asset controls regulations, tax laws), including judicial or administrative orders regarding individual employees (e.g., garnishments, child support payments);
- To obtain insurance coverage (e.g., workers' compensation, directors and officers, liability, and property insurance);
- To prevent fraud or illegal activity;
- To support internal administration with our affiliated entities;
- In relation to mergers and acquisitions activities (including the sale of all or substantially all of OPSWAT's assets);
- To verify your identity (if you submit a data subject request);
- To back up and/or archive for disaster recovery, business continuity, and record keeping purposes; and
- To carry out other purposes as part of our business activities when reasonably required by us.

4. Sale or Sharing of Personal Information and the Right to Opt Out

When you visit our websites, use our products and/or services, open or click on emails we send to you, or interact with our advertisements, we or third parties we work with automatically collect certain information using technologies such as cookies, web beacons, clear GIF, pixels, internet tags, web server logs, and similar technologies (collectively, "data collection technologies"). Some data collection technologies help us maintain the security of our websites and your account, prevent crashes, fix bugs, save your preferences, and assist with basic site functions. We also permit third parties to use data collection technologies on our websites and our products and/or services for analytics and advertising, including to help manage and display advertisements and to tailor advertisements to your interests. The third parties use their technology to provide advertising about products and services tailored to your interests which may appear either on our websites or on other websites. For more information, please see [OPSWAT's Cookies Policy](#).

Our use of tracking technologies may be considered a “sale”/ “sharing” under California law. You can opt-out of being tracked by these technologies by broadcasting an opt-out preference signal, such as the Global Privacy Control (GPC) (on the browsers and/or browser extensions that support such a signal). The opt-out preference signal is a setting or extension on certain supported browsers that you can use to communicate to OPSWAT of your choice to opt out of the sale or sharing of your information. For more information on the browsers that support GPC, along with how to enable GPC, please visit <https://globalprivacycontrol.org/#download>. We will process your opt-out preference signals in a frictionless manner. If you broadcast such a signal, your request to opt-out of the sale and sharing will be linked to your browser identifier only. Please note that even after opting out, your use of our websites may still be tracked by us or our service providers. Alternatively, you may visit <https://go2.opswat.com/myuserright> to submit a request to opt out of sale or sharing of your data.

We do not have actual knowledge that we sell or share the personal information of individuals under 16 years old.

Categories of personal information disclosed that may be considered “sale”/ “sharing” under California law: Basic Identifying Information, Device Information and Other Unique Identifiers, Internet or Other Network Activity, and Commercial Data.

Categories of third parties to whom personal information was disclosed that may be considered “sale”/ “sharing” under California law: advertisers and marketing partners, data analytics providers, and social media networks.

5. Our Disclosure of Personal Information

We may disclose your personal information to a third party for a business purpose. 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.

In the preceding twelve (12) months, we have disclosed the following categories of personal information to third parties as described below:

Category of Personal Information Disclosed	Category of Third Parties To Whom the Personal Information Was Disclosed	Business Purpose for Disclosing Your Personal Information
A. Identifiers	<ul style="list-style-type: none"> Our third-party contractors and service providers; Our prospective, current, and former customers, resellers, 	<ul style="list-style-type: none"> To communicate with you; To manage our application and recruitment processes; To assess your skills, qualifications and interests for employment opportunities with OPSWAT;

Category of Personal Information Disclosed	Category of Third Parties To Whom the Personal Information Was Disclosed	Business Purpose for Disclosing Your Personal Information
	<p>distributors, and other business partners;</p> <ul style="list-style-type: none"> • Third parties to whom you or your agents authorize us to disclose your personal information; and • With government authorities, law enforcement, and regulators in compliance with applicable law. 	<ul style="list-style-type: none"> • To verify the information provided by you or others, including checking your references; • If you are offered a position, to prepare your offer letter and conduct a background check (to the extent permitted by applicable law); • To assist us in fulfilling our rights and obligations as your employer; • To communicate with OPSWAT's prospective, current, and former customers, resellers, distributors, and other business partners • To protect the safety and security of our workforce, guests, property, and assets (including controlling and facilitating access to and monitoring activity on and in our premises and activity using our computers, devices, networks, communications and other assets and resources); • To defend OPSWAT's legal rights, including investigating and responding to claims against us; • To comply with applicable laws (e.g., health and safety, employment laws, office of foreign asset controls regulations, tax laws), including judicial or administrative orders regarding individual employees (e.g., garnishments, child support payments); • To obtain insurance coverage (e.g., workers' compensation, directors and officers, liability, and property insurance); • To prevent fraud or illegal activity; • To support internal administration with our affiliated entities;

Category of Personal Information Disclosed	Category of Third Parties To Whom the Personal Information Was Disclosed	Business Purpose for Disclosing Your Personal Information
		<ul style="list-style-type: none"> • In relation to mergers and acquisitions activities (including the sale of all or substantially all of OPSWAT's assets); and • To back up and/or archive for disaster recovery, business continuity, and record keeping purposes.
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	<ul style="list-style-type: none"> • Our third-party contractors and service providers; • Our prospective, current, and former customers, resellers, distributors, and other business partners; • Third parties to whom you or your agents authorize us to disclose your personal information; and • With government authorities, law enforcement, and regulators in compliance with applicable law. 	<ul style="list-style-type: none"> • To communicate with you; • To manage and improve our application and recruitment processes (such as making the application process more efficient and improving our diversity practices); • To assess your skills, qualifications and interests for employment opportunities with OPSWAT; • To verify the information provided by you or others, including checking your references; • If you are offered a position, to prepare your offer letter and conduct a background check (to the extent permitted by applicable law); • To assist us in fulfilling our rights and obligations as your employer; • To communicate with OPSWAT's prospective, current, and former customers, resellers, distributors, and other business partners • To protect the safety and security of our workforce, guests, property, and assets (including controlling and facilitating access to and monitoring activity on and in our premises and activity using our computers, devices, networks, communications and other assets and resources);

Category of Personal Information Disclosed	Category of Third Parties To Whom the Personal Information Was Disclosed	Business Purpose for Disclosing Your Personal Information
		<ul style="list-style-type: none"> • To comply with applicable laws (e.g., health and safety, employment laws, office of foreign asset controls regulations, tax laws), including judicial or administrative orders regarding individual employees (e.g., garnishments, child support payments); • To obtain insurance coverage (e.g., workers' compensation, directors and officers, liability, and property insurance); • To prevent fraud or illegal activity; • To support internal administration with our affiliated entities; • In relation to mergers and acquisitions activities (including the sale of all or substantially all of OPSWAT's assets); and • To back up and/or archive for disaster recovery, business continuity, and record keeping purposes.
C. Protected classification characteristics under California or federal law	<ul style="list-style-type: none"> • Our third-party contractors and service providers; • Third parties to whom you or your agents authorize us to disclose your personal information; and • With government authorities, law enforcement, and regulators in compliance with applicable law. 	<ul style="list-style-type: none"> • To manage our recruitment process; • To assist us in fulfilling our rights and obligations as your employer; • To comply with applicable laws (e.g., health and safety, employment laws, office of foreign asset controls regulations, tax laws), including judicial or administrative orders regarding individual employees (e.g., garnishments, child support payments); and • To back up and/or archive for disaster recovery, business continuity, and record keeping purposes.

Category of Personal Information Disclosed	Category of Third Parties To Whom the Personal Information Was Disclosed	Business Purpose for Disclosing Your Personal Information
D. Commercial information	<ul style="list-style-type: none"> • Our third-party contractors and service providers; • Third parties to whom you or your agents authorize us to disclose your personal information; and • With government authorities, law enforcement, and regulators in compliance with applicable law. 	<ul style="list-style-type: none"> • To assist us in fulfilling our rights and obligations as your employer; • To comply with applicable laws (e.g., health and safety, employment laws, office of foreign asset controls regulations, tax laws), including judicial or administrative orders regarding individual employees (e.g., garnishments, child support payments); • To prevent fraud or illegal activity; • To support internal administration with our affiliated entities; and • To back up and/or archive for disaster recovery, business continuity, and record keeping purposes.
F. Internet or other electronic network activity information	<ul style="list-style-type: none"> • Our third-party contractors and service providers; and • Third parties to whom you or your agents authorize us to disclose your personal information. 	<ul style="list-style-type: none"> • To assist us in fulfilling our rights and obligations as your employer; • To protect the safety and security of our workforce, guests, property, and assets (including controlling and facilitating access to and monitoring activity on and in our premises and activity using our computers, devices, networks, communications and other assets and resources); • To prevent fraud or illegal activity; • To support internal administration with our affiliated entities; and • To back up and/or archive for disaster recovery, business continuity, and record keeping purposes.
G. Geolocation data	<ul style="list-style-type: none"> • Our third-party contractors and service providers; and • Third parties to whom you or your 	<ul style="list-style-type: none"> • To assist us in fulfilling our rights and obligations as your employer; • To protect the safety and security of our workforce, guests, property, and assets (including controlling

Category of Personal Information Disclosed	Category of Third Parties To Whom the Personal Information Was Disclosed	Business Purpose for Disclosing Your Personal Information
	agents authorize us to disclose your personal information.	<p>and facilitating access to and monitoring activity on and in our premises and activity using our computers, devices, networks, communications and other assets and resources);</p> <ul style="list-style-type: none"> • To prevent fraud or illegal activity; • To support internal administration with our affiliated entities; and • To back up and/or archive for disaster recovery, business continuity, and record keeping purposes.
H. Audio, electronic, visual, thermal, olfactory, or similar information	<ul style="list-style-type: none"> • Our third-party contractors and service providers; and • Third parties to whom you or your agents authorize us to disclose your personal information. 	<ul style="list-style-type: none"> • To assist us in fulfilling our rights and obligations as your employer; • To use for internal communications as specifically explained to you prior to your voluntary disclosure; • To protect the safety and security of our workforce, guests, property, and assets (including controlling and facilitating access to and monitoring activity on and in our premises and activity using our computers, devices, networks, communications and other assets and resources); • To prevent fraud or illegal activity; • To support internal administration with our affiliated entities; and • To back up and/or archive for disaster recovery, business continuity, and record keeping purposes.
I. Professional or employment-related information	<ul style="list-style-type: none"> • Our third-party contractors and service providers; • Third parties to whom you or your agents authorize us to 	<ul style="list-style-type: none"> • To manage our application and recruitment processes; • To assess your skills, qualifications and interests for employment opportunities with OPSWAT;

Category of Personal Information Disclosed	Category of Third Parties To Whom the Personal Information Was Disclosed	Business Purpose for Disclosing Your Personal Information
	<p>disclose your personal information; and</p> <ul style="list-style-type: none"> • With government authorities, law enforcement, and regulators in compliance with applicable law. 	<ul style="list-style-type: none"> • To verify the information provided by you or others, including checking your references; • If you are offered a position, to prepare your offer letter and conduct a background check (to the extent permitted by applicable law); • To assist us in fulfilling our rights and obligations as your employer; • To comply with applicable laws (e.g., health and safety, employment laws, office of foreign asset controls regulations, tax laws), including judicial or administrative orders regarding individual employees (e.g., garnishments, child support payments); • To support internal administration with our affiliated entities; and • To back up and/or archive for disaster recovery, business continuity, and record keeping purposes.
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))	<ul style="list-style-type: none"> • Our third-party contractors and service providers; • Third parties to whom you or your agents authorize us to disclose your personal information; and • With government authorities, law enforcement, and regulators in compliance with applicable law. 	<ul style="list-style-type: none"> • To manage our application and recruitment processes; • To assess your skills, qualifications and interests for employment opportunities with OPSWAT; • To verify the information provided by you or others, including checking your references; • If you are offered a position, to prepare your offer letter and conduct a background check (to the extent permitted by applicable law); • To assist us in fulfilling our rights and obligations as your employer;

Category of Personal Information Disclosed	Category of Third Parties To Whom the Personal Information Was Disclosed	Business Purpose for Disclosing Your Personal Information
		<ul style="list-style-type: none"> • To comply with applicable laws (e.g., health and safety, employment laws, office of foreign asset controls regulations, tax laws), including judicial or administrative orders regarding individual employees (e.g., garnishments, child support payments); • To support internal administration with our affiliated entities; and • To back up and/or archive for disaster recovery, business continuity, and record keeping purposes.
K. Inferences drawn from other personal information	<ul style="list-style-type: none"> • Our third-party contractors and service providers; and • Third parties to whom you or your agents authorize us to disclose your personal information. 	<ul style="list-style-type: none"> • To assist us in fulfilling our rights and obligations as your employer; • To support internal administration with our affiliated entities; and • To back up and/or archive for disaster recovery, business continuity, and record keeping purposes.

We do not use your sensitive personal information for purposes other than those specified under the CCPA.

6. Your Rights Under the CCPA

The CCPA provides you, as a California consumer, with specific rights regarding your personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of personal information we collected about you;
- The categories of sources for the personal information we collected about you;

- Our business or commercial purpose for collecting, selling, or sharing personal information;
- The categories of third parties with whom we disclose personal information; and
- The specific pieces of personal information we collected about you.

Deletion Request Rights

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions.

Right to Correct Information

You have the right to correct inaccurate personal information that we maintain about you.

Right to Avoid Discriminatory Treatment

You have the right not to receive discriminatory treatment by us for the exercise of privacy rights conferred by the CCPA, including your right not to be retaliated against for the exercise of their CCPA rights.

How to Exercise Your Rights

You may exercise your rights by:

- Submitting your request at <https://go2.opswat.com/myuserright>; or
- Calling us at 1-855-OPSWAT1 (1-855-677-9281).

Only you or a person that you authorize to act on your behalf (an “Authorized Agent”) may make a verifiable consumer request related to your personal information. If your Authorized Agent submits a request on your behalf, pursuant to CCPA requirements, we will require the authorized agent to provide the agent’s contact information, information verifying the agent’s identity, and a signed letter of authorization from you that provides your agent with the authority to direct the handling of your personal information.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative; and
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable consumer request does not require you to create an account with us. We

will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

7. Changes to this Notice

This Notice is effective as of the date stated at the start of this Notice. We reserve the right to modify this Notice at any time by posting the revised policy on this site and updating the date the statement was last revised at the start of this Notice, so please review it frequently. If we make material changes to this Notice, we will notify you by email or by means of a more prominent notice to you.

8. Contact Us

If you have any questions, please contact Legal at legal@opswat.com.