

## **Bremer Whyte Privacy Notice** - Job Applicants

Last Updated: 1/1/2023

As part of any recruitment process, Bremer Whyte Brown & O’Meara, LLP (“Bremer Whyte,” “Company,” “We,” “Our,” “Us”) collects and processes personal data relating to job applicants. The organization is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

### **What Information Do We Collect?**

We collect the following categories of personal information:

- **Identifiers**, such as name, parents’ surnames prior to marriage, alias, telephone number, personal and work email address, postal address, screennames, date of birth, signature, passport number, driver’s license or state identification card number.
- **Personal information under [California Civil Code section 1798.80](#)**, such as date of birth or signature.
- **Financial information** such as bank account numbers for expenses.
- **Professional or employment related information**, such as Curriculum Vitae/resumé, current and previous employment details, immigration status, or work authorizations.
- **Education information**, such as education background, university or school diplomas/certificates, and other educational achievements.
- **Inferences** such as job preferences or willingness to travel and/or relocate.
- **Internet or other electronic network activity information**, such as all documents, files, and information you send through our applicant portal.

We also collect the following categories of sensitive personal information:

- **National identification numbers**, such as social security number, driver’s license or state identification card number.

Bremer Whyte may collect this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents or collected through interviews or other forms of assessment.

We may also collect personal data about you from third parties, such as background checks and references supplied by former employers. We will seek information from third parties only once a job offer to you has been made and will inform you that we are doing so.

Data will be stored in a range of different places, including your application record, HR management systems, and other IT systems (including email).

In addition, where relevant to the recruitment process, including where necessary to accommodate any disability needs or to comply with some regulatory requirements, we may also have the need to process some **characteristics of protected classifications**. This may include:

- Race, color
- Ancestry, citizenship status, national origin (including languages used and proficiency)
- Religion, creed, political affiliations or activities
- Age (40 and above)
- Disability, mental and physical
- Sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions)
- Sexual orientation, gender identity, gender expression
- Medical condition, AIDS/HIV status
- Genetic information
- Marital status
- Military and veteran status
- Criminal records, in certain circumstances
- Victims of domestic abuse and/or assault/stalking

#### How Do We Use Your Personal Information?

We will use your personal information for the following purposes:

1. To process your application including to identify and contact you;
2. To determine whether you have the professional skills, expertise and experience for the position applied for;
3. If you are offered a position with us, to verify the personal information provided including your identity, address, right to work, employment history and academic background and other background screening purposes including, where allowed by law, criminal record checks, searches with a credit reference agency and sanctions screening checks;
4. To provide you with information about future job vacancies, if you would like us to send you such notifications, which may include using data analytics to match your profile against vacant positions;
5. To accommodate your disability needs;
6. To detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity; and,
7. For compliance, disciplinary, legal and regulatory purposes.

We may collect additional categories of personal information for other business-related purposes and/or use personal information collected for additional purposes, upon prior written notice to you.

#### Who Has Access to Data?

Your information may be shared internally for the purposes of the recruitment process. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy, and IT staff if access to the data is necessary for the performance of their roles.

We will not share your data with third parties unless your application for employment is successful and we make you an offer of employment. We will then share your data with former employers to obtain references for you, and employment background check providers to obtain necessary background checks.

### Security of Your Personal Data

We take the security of your data seriously. We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

### Retention of Your Personal Data

If your application for employment is unsuccessful, the organization will hold your data on file for 4 years after the end of the relevant recruitment process. At the end of that period, or upon your request, your data is deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your Human Resources file (electronic and paper-based) and retained during your employment.

Upon your separation of employment with the organization, your personal information shall be retained and destroyed according to our document retention policy and in compliance with applicable laws and regulations.

### Privacy Rights & Additional Disclosures for Californians

Californians have new privacy rights for their personal information. As we have done above, businesses are required to inform members of the categories of personal information they collect and the purposes for which the categories will be used, at or before the point of collection.

Starting January 1, 2023, Californians also have the following rights:

**Request for Information or Deletion.** Californians have the right to know whether we are processing your personal information, and in some instances, you have the right to request that we disclose to you the categories listed below for the preceding 12 months. We have the right to request verification of your identity for all requests for information. In responding to this right, we shall provide to you:

- The categories of personal information we collect about you.
- The categories of sources from which your personal information is collected.

- The business or commercial purpose(s) for collecting, selling, sharing, or disclosing your personal information, and the categories of personal information disclosed for such purpose(s).
- The categories of third parties with whom we share your personal information.
- The categories of personal information we have sold, if any, about you and the categories of third parties to whom your personal information was sold, by category or categories of personal information for each third party to whom the personal information was sold.
- The specific pieces of personal information we have collected about you.

In addition, you may have the right to request we delete your personal information.

**Request for Correction.** Californians have the right to request the correction or rectification of inaccurate information in their personal information.

**Do Not Sell or Share My Personal Information.** Californians have the right to opt out of the sale or sharing of the consumer's personal information. However, we do not sell your personal information, nor do we share your personal information to provide personalized or targeted advertising. If you have any questions or further comments on the matter, please reach out to us via the contact information at the bottom of this document.

**Limiting the Use of Sensitive Personal Information.** Residents of California have the right to direct us to use or disclose sensitive personal information only for providing goods or services, or as otherwise minimally permitted under applicable law. However, we do not use or disclose sensitive personal information for any purpose other than fulfilling your employment expectations, or as otherwise minimally permitted under applicable law.

**Right to Non-Retaliation.** Applicants who are residents of California have the right not to be retaliated against for the exercise of these rights.

**Verification Process for Exercising Rights.** To protect our consumers' privacy, we verify privacy rights requests to ensure that only you (or your authorized agent) can exercise rights pertaining to your personal information. As part of our verification process, we may request you to submit additional information.

If you are an authorized agent wishing to exercise rights on behalf of a state resident, please contact us using the information at the bottom of this Notice and provide us with a copy of the consumer's written authorization designating you as their agent. We may need to verify your identity and place of residence before completing your rights request.

### Changes to the Privacy Notice

This Privacy Notice is effective as of the date noted above. We may update this Notice from time to time. If we make material changes, we will post the updated Notice on this page and change the date at the top. We encourage you to review updates by checking the date referenced above.

### Contact Information

We welcome your questions, comments, and concerns about privacy. You may contact Monica Melendez at [mmelendez@bremerwhyte.com](mailto:mmelendez@bremerwhyte.com) for any additional questions.

#### What if You Do Not Provide Personal Data?

You are under no statutory or contractual obligation to provide data to Bremer Whyte during the recruitment process. However, if you do not provide the information, we may not be able to process your application properly or at all.