

## **California Employee and Contractor Privacy Notice**

This **PRIVACY NOTICE** is provided to residents of **CALIFORNIA** who are **employees, job applicants, contractors, agents or potential contractors or agents** of Avanos Medical, Inc., or one of its subsidiaries or affiliates (“Avanos,” “our,” “we” or “us”) in compliance with the California Consumer Privacy Act of 2018 (“CCPA”).

**Effective Date:** 1/1/20

### **Who Do We Collect Personal Information From?**

We have collected “personal information” as defined in the CCPA in the last 12 months from the following California residents:

- Job applicants who apply for positions with us or who we recruit
- From potential and actual contractors and agents (hereafter, “contractors”) whether directly, or through one of our service providers who assist us with recruiting, screening and engaging contractors and agents
- Current employees

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

We have collected some or all the examples of personal information in the below Categories during the last 12 months, from job applicants, employees and contractors:

<b>Category</b>	<b>Examples</b>
1. Identifiers	Real name, alias, postal address, email address, Social Security number, unique personal identifier, online identifier, Internet Protocol address, account name, driver's license number, passport number, or other similar identifiers.
2. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information. Some

	personal information included in this category may overlap with other categories.
3. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, national origin, citizenship, marital status, physical or mental disability, sex (including gender, gender identity, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status.
4. Professional or employment-related information.	Current or past job history or performance evaluations.
5. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.
6. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.

**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 Act (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

## **Sources of the Categories of Personal Information**

We obtain the above personal information from sources including the following:

- From you, such as when you provide us with your resume, job application, personal references, and personal information on other forms that we require to complete the job application or benefits enrollment process
- From third-party companies which assist Avanos in identifying qualified individuals such as recruiters and employment agencies
- From service providers which perform job applicant or contractor verification or screening services for us. Examples include background checks, education and job history verification, and other similar services
- From service providers which provide drug screening in compliance with local law
- From the sources used to confirm your personal information such as previous employers, personal references, background check databases, and other similar sources used in the employment verification or pre-engagement screening process

## **Use of Personal Information**

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

- To consider you for one or more roles within Avanos, whether as a contractor or full or part time employee
- To conduct pre-engagement (for contractors) or pre-employment screening (for candidates for full and part-time positions), in accordance with applicable law, including but not limited to background checks, educational and job history verification, drug testing, checking references and other screening
- With regard to employee personal information, to perform all tasks that are necessary as an employer, such as interviewing; hiring decisions; salary and performance reviews and evaluations; promotional and disciplinary decisions; terminations and severance; reorganizations; the preparation and payment of applicable local, state, federal and foreign taxes; benefits administration; travel and educational expenses; training; and all similar employment related functions
- With regard to potential or current contractors, to evaluate your qualifications and to allow Avanos to fully utilize your services and to perform all tasks or obligations necessary to comply with applicable laws related to your specific contract or the contract between Avanos and the contracting party. For example, we would need to use

and disclose your personal information if Avanos is required to provide you with an IRS Form 1099

- As necessary to evaluate a potential acquisition, merger, divestiture, joint venture, restructuring, reorganization, bankruptcy, or similar transaction, including the disclosure to third parties in connection therewith
- To provide you with important information about your role within Avanos
- As we deem necessary to protect the safety of people, physical property or assets of Avanos, our customers or others
- To conduct investigations into potential violations of the Code of Conduct and other Avanos policies or applicable laws or regulations, including to third parties who may assist us with such investigations
- To comply with applicable laws or regulations, including as requested by law enforcement
- To ask your opinion as it relates to improving our products, services, websites, your experience while assisting Avanos whether as an employee or contractor
- To offer you opportunities to sign-up for optional events
- To administer, implement and conduct physical, administrative and technical security measures necessary to protect Avanos, its employees, customers, assets, and property, including without limitation identity verification, authentication and the like
- To confirm that you have completed an educational course eligible for tuition reimbursement

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 notice

### **Sharing Your Personal Information**

We may disclose your personal information to a third party for a business purpose as described above. 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 for a business purpose to the following third parties:

<b>Category</b>	<b>Avanos Subsidiaries and Affiliates</b>	<b>Service Providers</b>
1. Identifiers	Yes	Yes
2. California Customer Records personal information categories	Yes	Yes
3. Protected classification characteristics under California or federal law	Yes	Yes
4. Professional or Employment-related Information	Yes	Yes
5. Internet or other similar network activity	Yes	Yes
6. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Yes	No

### **Do We Sell Your Information?**

In the preceding twelve (12) months, we have not sold any employee or contractor personal information