



EMPLOYEE PRIVACY NOTICE FOR CALIFORNIA RESIDENTS

Last Updated: August 27, 2020

This **Employee Privacy Notice for California Residents** supplements the information contained in the Disclaimer and Privacy Policy of Kayaku Advanced Materials, Inc. and applies to all current, prospective, and former employees and contractors who reside in the State of California (“you”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (“CCPA”) and any terms defined in the CCPA have the same meaning when used in this notice.

Information We Collect

Our Website, internal systems (“**Systems**”), and personnel collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular employee, contractor, or device (“**personal information**”). In particular, our website, www.kayakuam.com (“**Website**”), Systems, and personnel, have collected the following categories of personal information within the last twelve (12) months:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers.	YES
B. 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, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions),	YES

	sexual orientation, veteran or military status, genetic information (including familial genetic information).	
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	NO
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
F. Internet or other similar network activity.	Browsing history, search history, information on an employee's or contractor's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
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)).	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.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO

Personal information does not include:

- Publicly available information from government records.

- Deidentified or aggregated personal information.
- Information excluded from the CCPA's scope, like: 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; and personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

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

- Directly from you. For example, from forms you complete with respect to possible, current, or former employment or contracting or from information you provide via the use of our Systems.
- Indirectly from you. For example, from observing your actions on our Website or our Systems, from your movements within our premises, and the storage of email messages transmitted using our Systems.

Use of Personal Information

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

- To recruit employees, including to conduct employment related background screening and checks.
- To administer benefits, such as medical, dental, optical, commuter, and retirement benefits, including recording and processing eligibility of dependents, absence and leave monitoring, insurance and accident management and provision of online total reward information and statements.
- To pay and reimburse for expenses, including salary administration, payroll management, payment of expenses, to administer other compensation related payments, including assigning amounts of bonus payments to individuals, administration of departmental bonus pools and administration of stock option payments.
- To conduct performance-related reviews, including performance appraisals, career planning, skills monitoring, job moves, promotions and staff re-structuring.
- To monitor work-related licenses and credentials, including provisioning software licenses for use in the course of an employee's work related responsibilities, ensuring compliance, training, examination and other requirements are met with applicable regulatory bodies.

- To provide our employees with human resources management services, including providing employee data maintenance and support services, administration of separation of employment, approvals and authorization procedures, administration and handling of employee claims, and travel administration.
- To administer international assignments, including relocation services, documenting assignment terms and conditions, obtaining relevant immigration documents, initiating vendor services, fulfilling home/host country tax administration and filing obligations, and addressing health requirements.
- To maintain your contact information, including altering your details across relevant entities within the our group of companies (for example personal, other employment and transferring roles).
- To assist you in case of emergency, including maintenance of contact details for you, and your dependents in case of personal or business emergency.
- To monitor eligibility to work in the U.S., which means monitoring and ensuring compliance of employees' ability to work in the U.S.
- To conduct healthcare-related services, including conducting pre-employment and employment-related medical screenings for return to work processes and medical case management needs; determining medical suitability for particular tasks; identifying health needs of employees to plan and provide appropriate services, including operation of sickness policies and procedures; and providing guidance on fitness for travel and fitness for expatriation and repatriation.
- To facilitate a better working environment, which includes conducting staff surveys, providing senior management information about other employees, and conducting training.
- To ensure a safe and efficient working environment, which includes our actions relating to disciplinary actions, and code of conduct processes and investigations.
- To maintain security on our websites and Internet connected assets, which includes hosting and maintenance of computer systems and infrastructure; management of our software and hardware computer assets; systems testing, such as development of new systems and end-user testing of computer systems; training; and monitoring email and Internet access.
- To comply with applicable law or regulatory requirements, such as legal (state and federal) and internal company reporting obligations, including headcount, management information, demographic and health, safety, security and environmental reporting.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.

- As described to you when collecting or receiving your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding (“**Corporate Transaction**”), in which personal information held by us about our employees and contractors is among the assets transferred.

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 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.

We share your personal information with the following categories of third parties:

- Service providers.
- Data aggregators.
- Potential counter-parties to a Corporate Transaction.

Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, Company has disclosed the following categories of personal information for a business purpose:

Category A: Identifiers.

Category B: California Customer Records personal information categories.

Category C: Protected classification characteristics under California or federal law.

Category F: Internet or other similar network activity.

Category G: Geolocation data.

Category I: Professional or employment-related information.

Category J: Non-public education information (per the Family Educational Rights and Privacy Act).

We disclose your personal information for a business purpose to the following categories of third parties:

- Service providers.
- Data aggregators

- Potential counter-parties to a Corporate Transaction.

Sales of Personal Information

In the preceding twelve (12) months, Company has not sold personal information. We have no plans to sell any such personal information.

Your Rights and Choices

The CCPA provides California residents with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

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 request (see the heading *Exercising Access, Data Portability, and Deletion Rights* below), 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 or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing: sales, identifying the personal information categories that each category of recipient purchased; and disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

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. Once we receive and confirm your verifiable request (see *Exercising Access, Data Portability, and Deletion Rights*), we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- (1) Employ, contract with, or provide compensation, benefits, reimbursements, vacation time, or other consideration to you in connection with your employment or contractor relationship.
- (2) Take or defend legal actions involving or related to your employment or contractor relationship.
- (3) Conduct investigations into your actions or failure to take action while providing personal services to us or related to your provision of personal services to us.
- (4) Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- (5) Exercise free speech, ensure the right of another person to exercise their free speech rights, or exercise another right provided for by law.
- (6) Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).
- (7) Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- (8) Enable solely internal uses that are reasonably aligned with employment or contracting expectations based on your relationship with us.
- (9) Comply with a legal obligation.
- (10) Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable request to us by either:

- Calling us at 1-833-213-4367
- Emailing us at PrivacyManager@kayakuam.com

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable request related to your personal information. You may also make a verifiable request on behalf of your minor child.

You may only make a verifiable request for access or data portability twice within a 12-month period. The verifiable 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.
- 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 request does not require you to create an account with us. However, we do consider requests made through your password protected account sufficiently verified when the request relates to personal information associated with that specific account.

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

Response Timing and Format

We endeavor to respond to a verifiable request within forty-five (45) days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the twelve (12) month period preceding the verifiable request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to PrivacyManager@kayakuam.com or write us at:

Kayaku Advanced Materials, Inc.
200 Flanders Road

Westborough, MA 01581
Attn: Privacy Manager

Changes to Our Privacy Notice

We reserve the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will provide the changed notice to you by email, hard copy, or posting on our Systems, and update the notice's effective date. **Your continued employment or contracting with us, or your continued use of our Systems, following such changes constitutes your acceptance of such changes.**

Contact Information

If you have any questions or comments about this notice, the ways in which we collect and use your information described below and in the [Disclaimer and Privacy Policy](#), your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: 1-833-213-4367

Email: PrivacyManager@kayakuam.com

Postal Address:

Kayaku Advanced Materials, Inc.
200 Flanders Road
Westborough, MA 01581
Attn: Privacy Manager

END OF NOTICE