

**ADVANTECH**



## **Employee Privacy Policy**

**Advantech Europe B.V.**

## Introduction

Advantech Europe B.V. and its subsidiaries ("Advantech") are committed to comply with relevant privacy and data protection laws that govern how organizations can process the Personal Data of their employees, former employees, directors, interns, successful applicants, and other permanent or temporary workers ("Employees"). We have prepared this Advantech Employee Privacy Policy (the "Policy") to outline our practices regarding processing of our Employees' Personal Data.

Advantech is committed to use any Personal Data fairly, lawfully, and in accordance with applicable laws. Personal Data will also include similar information pertaining to an identifiable person or legal entity to the extent required by applicable local privacy laws, provided such person or legal entity also qualifies as an Employee, as defined herein, or third party contractor as further described below under "Third Party Contractors".

This Policy is designed to make transparent the processing of Personal Data by Advantech. Given the general character of this Policy, Advantech's subsidiaries shall further notify Employees in case of any country-specific processing that might occur.

For purposes of this Policy, "Personal Data" means individually identifiable information about a person, including you, that is processed by Advantech.

With Kind regards,

Advantech Europe B.V.

Jash Bansidhar,  
Managing Director Advantech Europe

Roel van der Poort,  
HR Manager Advantech Europe

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## 1 Why is Personal Data being processed?

As your employer, Advantech needs to process information about you for employment and business continuity purposes. The information that is being processed is used for management and administrative use while certain information can also be used for marketing or advertising Advantech. The information enables Advantech to run the business and manage the work relationship between Employer and Employee effectively, lawfully and appropriately, whilst an Employee is working with Advantech, at the time the employment ends and after an Employee has left. This includes using information to enable Advantech:

- a) to comply with the employment contract;
- b) to comply with any legal requirements and to protect Advantech's legal position in the event of legal proceedings;
- c) to protect the vital interest of the Employees;
- d) to conduct preventive or occupational medicine for the assessment of the working capacity of the Employee and in compliance with the contract with the health professional;
- e) to pursue the legitimate interests of Advantech; and
- f) to promote Advantech on social media and through other means of advertising

As a leading company in providing trusted innovative embedded and automation products and solutions, Advantech may sometimes need to process Personal Data from Employees to pursue their legitimate business interests, for example to ensure that our networks and information are secure; to administer and generally conduct business within Advantech and across Advantech Group; and to prevent or investigate suspected or actual violations of law, breaches of the terms of employment or non-compliance with the Advantech policies or even reporting potential crimes. Advantech will never process Personal Data from an Employee where Advantech's legitimate interests are overridden by the interests and fundamental rights of an individual Employee. This means that Advantech shall respect the right to privacy of the Employee and while processing Personal Data from the Employee and Advantech will always consider whether or not such processing is intrusive or runs counter to the fundamental privacy rights of the Employee.

Advantech may seek to engage in marketing or advertising activity using the likenesses or images of Employees; however, Advantech will only use such Employees' likenesses or images with the express prior written consent of such Employees. In such cases, Employees will also be given a clear and simple option to withdraw their consent by contacting Advantech.

The Employee will have provided much of the Personal Data that is processed, but some Personal Data may come from other internal sources, such as the manager, or in some cases, external sources, such as references.

## 2 What Personal Data is being processed?

CATEGORIES OF PERSONAL DATA	EXAMPLES OF TYPES OF PERSONAL DATA WE COLLECT
<b>Personal identification data</b>	Name, surname, personal identification number, passport, identity card, social security card, work permit, title, gender, nationality, date and place of birth, marital/civil partnership status, children. Advantech has to collect marital/civil partnership status and the personal data of children for insurance purposes.
<b>Contact information data</b>	Email, phone number, address, emergency contact details
<b>Account login information</b>	Login ID, password, other information used to access and/or secure Company systems and applications including the career website.
<b>Images and/or videos from which you may be identified</b>	Images and video collected by CCTV, pictures uploaded into CV, pictures that are being made during corporate events, or otherwise provided to us by you.
<b>Data regarding qualifications and career development</b>	Any information contained in CVs and additional documents containing personal details (e.g. diplomas, certificates) as provided by Employees during the recruitment process, assessment and/or test evaluation information, evaluations of interviews conducted with Employees, educational and employment background, job qualifications, jobs for which the Employee has submitted an application, willingness to relocate, driver's license information, any additional information such as transcripts, employment references and related information, compensation requests.
<b>Information resulting from background or employment check and/or an employment reference</b>	Feedback, opinions.
<b>Special categories of Personal Data</b>	<p>In full accordance with Article 9 of the GDPR or relevant local law, certain special categories of personal data may be processed, including:</p> <ol style="list-style-type: none"> <li>1. Information about disabilities to the extent relevant for the performance of your work and/or subsidy requirements: for instance, where we would be required to make work or workspace adaptations or adjustments, or in case Advantech can apply for subsidy.</li> <li>2. Racial or ethnic data: for instance where this would show from pictures, photographs and other visual images.</li> </ol> <p>Advantech generally processes these special categories of data in order to comply with legal obligations and internal policies, such as relating to diversity and anti-discrimination.</p>
<b>Compensation, benefits and payroll</b>	Bank account information (to support expenses of certain applicants), pay slips, income tax card, desired salary, compensation, benefits and in some cases health care insurance number.
<b>Records of holiday, sickness and other absence</b>	To comply with legislation, and/or in order to process and maintain leave records and salary payments.

<b>Records relating to career (history)</b>	Training records, appraisals, other performance measures and, where appropriate, disciplinary and grievance records.
<b>Any other information that you decide to voluntarily share with Advantech</b>	Feedback, opinions, information provided in emails and letters, during telephone calls and/or conversations.
<b>Network traffic data and other related data</b>	Please check Information Technology Security Policy available on Cobra and the AEU Legal Portal.

Employees are inevitably being referred to in many company documents and records that are produced by Advantech in the course of carrying out the legitimate business of the company. However, Advantech will always aim to process only necessary Personal Data and avoid retaining copies of documents for longer than is necessary to fulfill either Advantech's legitimate business interests or mandatory applicable laws.

### 3 Does Advantech monitor employees?

Subject to complying with all applicable laws (including GDPR and other relevant privacy laws), Advantech reserves the right to monitor computer, telephone and/or mobile telephone use, as detailed in the Acceptable Use & Social Media Policy, which is available on Cobra and the AEU Legal Portal. This does not mean that employee's computers, phone calls, messages or other movements and activities will be systematically or constantly under surveillance. It is meant to bring to your attention the fact that monitoring may occur and result in the limited processing of Personal Data from Employees. As an example, Advantech uses CCTV security systems in certain countries where it operates warehouse facilities. The CCTV security system does not collect biometric data and any collection of Personal Data is transparent to data subjects via notification at the relevant premises.<sup>1</sup> As a further example, Advantech may also undertake investigative monitoring actions in cases where there are suspected or actual violations of internal policies or laws. With regard to Personal Data stored on Employee's devices, Advantech reserves the right to check this data only when necessary and based on the legitimate interests described above: *e.g.*, ensuring that our networks and information are secure; preventing or investigating suspected or actual violations of law, breaches of the terms of employment or non-compliance with Advantech policies; reporting potential crimes; and implementing data loss prevention tools that monitor outgoing communications for the purpose of detecting potential data breaches. Advantech will provide training to further inform Employees on the monitoring activities and potential processing of Personal Data, as well as the retention periods. The training will allow Employees to better understand the purposes and the process of monitoring.

Additionally, Advantech uses the system Timewize to keep record of Employees' attendance and working hours, as detailed in the Company Regulations, available on Cobra. Timewize is an important component

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<sup>1</sup> See Advantech CCTV Security Video Surveillance Policy.

of Advantech's audit trail and does not risk providing an invasive level of knowledge and control regarding the activities of Employees whilst in the workplace.

#### 4 If I leave the company, can Advantech access my files?

In situations wherein there is a need to access the computer files, emails or mobile phone of a former Employee or an Employee who is unavailable due to departure from the company, long-term sick leave, etc. ("Unavailable Employee"), Advantech will ensure that such Unavailable Employee is notified on the possibility of such access. If there is commercially relevant information in such Unavailable Employee's computer files/emails or mobile phone, Advantech has a legitimate interest in accessing such information for ongoing business continuity. The access to such Unavailable Employee's computer files/emails or mobile phone may only be done according to the following procedure:

- a) Unavailable Employee's manager will notify IT if he/she has a reasonable belief that relevant business information is stored in the Unavailable Employee's computer files/emails or mobile phone.
- b) After notification by the Unavailable Employee's manager of a reasonable belief that relevant business information is stored in the Unavailable Employee's computer files/emails or mobile phone, IT will first determine if there are any folders or files named or labelled "private" or "personal". If such "private" or "personal" folders or files exist, IT shall remove and erase such folders or files permanently before allowing further access.
- c) The Unavailable Employee's manager is the only person who may be authorized by IT to access the Unavailable Employee's folders and files.
- d) Generally, the access to the Unavailable Employee account shall be implemented only in an incremental manner by the Unavailable Employee's manager that does not involve systematic review of all information but only targeted searches for relevant information by using key words.

In order to remain transparent regarding management of email inboxes in instances related to the Unavailable Employee, Advantech will notify the Unavailable Employee on the deactivation and allow him/her to collect or delete private emails prior to leaving Advantech. Deactivation of the email account of the Unavailable Employee means the email account will no longer accept incoming email and generate an automatic "out of office" reply email for a reasonable period (typically 1-6 months) that will state the unavailability of the employee and provide alternative Advantech business contacts. For privacy reasons, and to prevent potential disclosure of sensitive information, there will be no automatically forwarded e-mail of the Unavailable Employee to another e-mail address of Advantech. Once the timeframe for the automatic "out of office" reply email has expired, the email inbox of the Unavailable Employee will be permanently deleted. In certain exceptional situations related to business continuity, Advantech may have a legitimate interest to temporarily manage incoming email that continue to arrive at email inbox of the Unavailable Employee; however, such exceptions must receive prior written approval of the Advantech Data Privacy Officer ("DPO"), which shall include all necessary conditions defined by the DPO.

## 5 What Personal Data is shared with third parties?

Other than as mentioned below, Advantech will only disclose information about Employees to third parties if Advantech is legally obliged to do so, where Advantech needs to comply with its contractual duties to Employees, to protect the vital interests of both Employees and the company.

Third party	Details
<b>Advantech Affiliates, where Affiliate means an entity that directly or indirectly controls Advantech, is controlled by Advantech or is under common control with Advantech.</b>	Due to Advantech's global nature, personal data may be shared with the Advantech Group, including our parent company, Advantech Corp. LTD. Access to personal data within Advantech will be limited to those who have a need to know the information, for the purposes described in this Policy, and may include your manager(s), human resources department, legal department, finance department and other selected personnel within the Advantech Group.
<b>Service Providers</b>	Like many businesses, Advantech may outsource certain personal data processing activities to trusted third-party service providers to perform functions and provide services to us, such as: <ol style="list-style-type: none"><li>1. ICT service providers</li><li>2. Travel agencies</li><li>3. Consulting providers</li><li>4. Other service providers</li></ol>
<b>Public and Governmental Authorities</b>	When required by law, or as necessary to protect Advantech's rights, personal data may be shared with entities that regulate or have jurisdiction over Advantech.
<b>Professional advisors and others</b>	Advantech may share personal data with other parties including professional advisors, such as: <ol style="list-style-type: none"><li>1. Banks and financial institutions</li><li>2. Payroll companies</li><li>3. Insurance companies</li><li>4. Auditors</li><li>5. Lawyers</li><li>6. Accountants</li><li>7. Other outside professional advisors</li></ol>
<b>Other parties in connection with corporate transactions</b>	Advantech may also share personal data in the course of corporate transactions, such as during a sale of a business or part of a business to another company, or any reorganization, merger, joint venture, or other disposition of Advantech's business, assets, or stock (including in connection with any bankruptcy or similar proceeding).



Advantech will implement all reasonable and appropriate security measures to protect the Personal Data of Employees, including executing data processing agreements with all the data processors referred to in the table above, which may have access to the Personal Data of Employees.

## 6 What are the protection measures for transfers of Personal Data outside the EEA?

Advantech may transfer Employee Personal Data to other group companies, including our parent company Advantech Corp. LTD. (ACL) in Taiwan, for purposes connected with employment or the management of the company's business, using the legal ground of the legitimate interest of Advantech. In other limited and necessary circumstances, Personal Data may also be transferred to ACL to comply with our legal or corporate governance requirements. With regard to all transfers of Personal Data outside the EU/EEA, Advantech has in place adequate measures to protect your privacy and your rights through the use of the European Commission's standard contractual clauses (the "EU Model Clauses"). In combination with the EU Model Clauses used for data transfers outside the EU/EEA, Advantech is using technical and organizational supplementary measures to protect data flows in accordance with all GDPR requirements. More information about these measures and our safeguards can be obtained by sending a request for additional information to [data.protection@advantech.eu](mailto:data.protection@advantech.eu).

## 7 What is the retention period for storing Personal Data?

Some Personal Data is subject to fiscal retention obligations. This means that the tax authorities require Advantech to keep this information for an applicable retention period. Examples of this are income tax declarations and a copy of identity documents. These documents must typically be retained by Advantech for a retention period of 5 (five) years after an Employee has left the company.

If there are no legal retention periods for other Personal Data held by Advantech, the standard retention period is 1 (one) year after an Employee has left the company (*e.g.*, appraisals of the Employees shall be deleted after 1 year).

Advantech complies with these legal requirements regarding retention periods for storing Personal Data. More information on this topic may be found in the Advantech Record Retention Policy, which is available on Cobra and the Advantech Legal Portal.

## 8 What are the rights of Employees under the GDPR?

Under the EU General Data Protection Regulation (GDPR), Employees have a number of rights with regard to their Personal Data, including:

- a) right to be informed about how their personal information is being used (an example of information is this Privacy Policy),

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- b) right to request access their personal data,
- c) right to rectification (the correction of inaccurate personal data),
- d) right to erasure of their personal data (please note that if Advantech has the legal obligation to keep the personal data of the Employee, it would not be able to delete the Employee's personal data e.g. Advantech cannot erase the Employee's bank account details because it has the obligation to transfer the Employee's salary),
- e) right of portability (in case the Employee requests that Advantech transfers any data it holds on them to another company),
- f) right to restrict processing, and
- g) right to object to processing as well as in certain circumstances rights related to automated decision-making.

Advantech respects all rights of Employees under the GDPR. Advantech shall reply free of charge to your request with regard to the above mentioned rights within 30 (thirty) days from our receipt of that request. Advantech may extend the reply period with an additional period of 2 (two) months taking in account the complexity of the Employee's request.

Employees have also the right to lodge a complaint to the Data Protection Authority in the Netherlands if they believe that Advantech did not comply with the requirements of the GDPR with regard to the storing and processing of Personal Data. Please note that due to the 'one-stop shop' principle of GDPR, and the main establishment of Advantech in the Netherlands, our lead Data Protection Authority handling such complaints is the Netherlands Data Protection Authority (<https://autoriteitpersoonsgegevens.nl/en>).

In case of any security breach related to Personal Data (e.g., unlawful disclosure, loss, or destruction of Personal Data) that is likely to result in a high risks to the rights and freedoms of Employees, Advantech shall inform affected Employees accordingly and without undue delay.

## 9 Whom can I contact about this Policy?

Advantech is the controller of the Employee's Personal Data for the purposes of GDPR and for Employees who wish to exercise their rights mentioned in this Policy or have any other questions or concerns as to how their Personal Data is processed can send such questions or concerns to Advantech's DPO via [data.protection@advantech.eu](mailto:data.protection@advantech.eu).

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R. van der Poort	AEU-HR-Compliance-EN-P1