



## Applicant/Staff Privacy Policy

Apex Systems, LLC dba Stratacuity (“the Company”, “we”, “our” or “us”) is committed to protecting the privacy and security of your personal information. This Privacy Policy describes how the Company collects, uses, discloses, and safeguards personal information about you before, during, and after your working relationship with us. This Privacy Policy also tells you about your rights and choices with respect to your personal information, and how you can reach us to get answers to your questions.

This Privacy Policy applies to all job applicants, permanent and temporary employees, workers, contractors, and any other individuals who are working for the company but are not directly employed (“staff member” or “you”) that reside in the State of California, the European Union, the United Kingdom, or Switzerland. The Company acts as a data controller with respect to personal information in connection with our relationship, as described in more detail below. **Please note that because this Privacy Policy is comprehensive, it may refer to types of information that we collect and share about people other than yourself.**

You can access specific topics in this Policy by clicking on the relevant links below:

1. [Information We Collect About You](#)
2. [How We Collect Your Personal Information](#)
3. [Monitoring Use of Company IT Equipment and Systems](#)
4. [Legal Basis of Processing](#)
5. [Disclosing Your Personal Information](#)
6. [Data Security](#)
7. [International Data Transfers](#)
8. [Data Retention](#)
9. [Your Rights in Relation to Your Personal Information](#)
10. [Other Important Information](#)

### 1. Information We Collect About You

For the purposes of this Privacy Policy, “personal information” means any information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual, regardless of whether it is held in paper, electronic or any other format.

We collect, maintain, and use different types of personal information in the context of our relationship or potential relationship with you. The following provides examples of the type of information that we collect, and have collected in the preceding 12 months, and how we use the information.

Context	Categories of Information	Primary Purpose for Collection and Use of Information
Benefits	Wage and benefit information, including but not limited to salary, bonus, additional pay, variable compensation, annual leave,	To provide employee benefits, including health insurance, expense reimbursements, etc. Our legitimate



	retirement savings plans and related compensation history and benefits information.	interest in maintaining accurate business accounts.
<b>Closed Circuit TV and Facilities Access</b>	CCTV footage and other information obtained through electronic means such as key fob/swipe card records and geolocation.	To protect the Company's property and maintain the security of information held by the Company and the security of its facilities.
<b>Certifications and Qualifications</b>	We collect information from individuals who have access to our facilities and equipment including licensing and certification, and when applicable, nationality and citizenship.	To secure our facilities and equipment, and track those individuals with access to either for security and maintenance purposes. In some jurisdictions, we are also required by law to validate and record information about the individuals that access our facilities and equipment. We have an interest in complying with all legal requirements to collect information in the countries in which we operate.
<b>Contact Details</b>	Personal contact details such as name, title, addresses, telephone numbers, including your mobile number, and work and personal email address.	To communicate with you, including regarding your application process, reminders, and documentation we may need to collect. In some jurisdictions, we are also required to collect this information to comply with law.
<b>Electronic Communications</b>	Information about your use of our information and communications systems.	To monitor your use of our information and communication systems and provide for security of the IT system to ensure compliance with our IT policies.
<b>Government Identification</b>	Social security numbers, taxpayer identification numbers, passport	To comply with law.
<b>Health Related</b>	Information about your health, including any medical condition, health and sickness records, details of any absences from work (other than holidays), including time on statutory parental leave and sick leave.	To ascertain your fitness to work, manage sickness absence. To comply with legal obligations related to health and safety. To provide health benefits such as insurance.
<b>Identification</b>	Name, date of birth, and driver's license.	To identify you personally.
<b>Interviews and Meetings</b>	Audio and video	Engaging with applicants and employees who are applying from or working in a remote location.



<b>Investigations</b>	Details of any disciplinary investigations and proceedings, or of investigations following an alert.	To gather evidence for possible grievance or disciplinary hearings, or to make arrangements for the termination of our working relationship if warranted. To determine whether you, or another employee, has complied with our policies, procedures, and protocols.
<b>Other Special Categories Of Sensitive Information</b>	Information about your gender, race, ethnicity, sexual orientation, religious beliefs, and health and disability data (where permitted and in accordance with applicable law and in certain instances only where you voluntarily provide such information).	To comply with government regulations and our interest in promoting and monitoring equal opportunities and diversity (if permissible under local applicable law).
<b>Payroll, Retirement Savings Plans, and Taxes</b>	Payroll information, including but not limited to social security number or equivalent, tax status information (i.e., marital status, dependents, etc.), payroll records, bank account details, direct deposit/credit arrangements, and information about retirement savings plans.	To calculate and pay your salary, tax, social security, and retirement savings plan contributions. In some jurisdictions, to comply with legal obligations.
<b>Photographs</b>	Photographs	Our legitimate interest in maintaining external and internal directories and/or a security badge (if applicable). We may additionally use photographs for marketing purposes.
<b>Recruitment</b>	Recruitment information, including copies of right to work documentation such as citizenship, work permit or visa; references and other information included in a CV, resume, or cover letter or as part of the application process; criminal background; references and interview notes; letters of offer and acceptance of employment, and employment agreements.	Our legitimate interest in making a decision about your recruitment or employment. In some jurisdictions, to comply with legal requirements to verify you are legally entitled to work in the country in which you are applying.
<b>Surveys</b>	If you participate in a survey, we will collect information that you provide through the survey. If the survey is provided by a third-party service provider, the third party's privacy policy applies to the	We have a legitimate interest in understanding your opinions and collecting information relevant to our Company.



	collection, use, and disclosure of your information.	
<b>Terms of Employment</b>	Employment records including job titles/duties, job location, working arrangements, seniority data, employee identification number, performance ratings, hire/re-hire date, termination date, job history, training records, professional memberships, and business travel arrangements.	Our legitimate interest in business management and planning, including accounting and auditing; conducting performance reviews, managing performance and determining performance requirements; making decisions about salary reviews and compensation; assessing qualifications for a particular job or task, including decisions about promotions; making decisions about your continued employment or engagement. To provide salary and benefits to certain employees.
<b>Training</b>	We collect information from individuals concerning the training that they receive from us, or from third parties.	Our legitimate interest in understanding and recording the qualifications and training of the individuals that work with us. We may also be required by law, or by contract, to share the training or qualification of certain staff with third parties such as regulators or clients. We may also choose to share the training or qualification of certain staff with third parties as part of our effort to develop business. We have a legitimate interest in complying with any statutory, regulatory, or contractual obligation to disclose the training of our staff, and we have a legitimate interest in using the qualifications of our staff to help development business.

## 2. How We Collect Your Personal Information

In addition to the information that we collect from you directly, through your activities and interactions during the course of your employment and employment application process, we may also receive information about you from other sources, including third parties, business partners, our affiliates, or publicly available sources. For example, through the application and recruitment process, we collect personal information about staff members either directly from candidates or sometimes from an online job site or background check provider where background checks are permitted. In addition, we may sometimes collect additional information from third parties including former employers, personal and professional references, credit reference agencies or other



background check agencies, or government agencies (where permitted). By providing a mobile phone number, you agree to receive text messages from the Company. Text messages will be sent to notify you of a position or keep you updated on activities relevant to your application process, which may include reminders.

We will also collect additional personal information in the course of job-related activities throughout the period of you working for us. This may include monitoring communications and use of company IT equipment and systems, or from other staff members or supervisors. The provision of personal information as described in this Privacy Policy is partly a statutory requirement, partly a contractual requirement under your employment contract, and partly a requirement to carry out the employment relationship with you. In general, you are required to provide such personal information, except in limited instances when we indicate that the provision of certain information is voluntary (e.g., in connection with employee satisfaction surveys). Not providing personal information where required may prevent Apex from carrying out the employment relationship with you and may require Apex to terminate your employment where permitted by applicable law.

### **3. Monitoring Use of Company IT Equipment and Systems**

In the course of conducting our business, we may – under conditions permitted by applicable law – monitor employee activities and our premises and property. For example, some of our locations are equipped with surveillance cameras. Where in use, surveillance cameras are for the protection of employees and third parties, and to protect against theft, vandalism, and damage to the Company’s property. They do not aim at controlling the working activity of the individual employee. Recorded images are typically destroyed and not shared with third parties unless there is suspicion of a crime or wrongdoing, in which case they may be turned over to the police, or other appropriate government agency or other appropriate third parties.

Additionally, where permitted by law, we have the ability to monitor all business communications, including, without limitation, phone, internet browsing, email, instant messaging, and VoIP. For the purposes of your own personal privacy, you need to be aware that such monitoring might reveal sensitive personal information about you if you include such information in a business communication. By carrying out such activities using the Company’s facilities you acknowledge that sensitive personal information about you may be revealed to the Company by such monitoring.

### **4. LEGAL BASIS OF PROCESSING**

Apex relies on the following legal grounds for the collection, processing, and use of personal information:

- Carrying out the employment relationship with you;
- Legitimate interest of the Company and its affiliates in conducting and managing our business as a global organization, including depending on the circumstances:
  - Implementation and operation of a group-wide organizational structure and group-wide information sharing, where necessary for legitimate business operations;
  - Customer Relationship Management;



- Prevention of fraud, misuse of the Company's IT systems, or other activity that is illegal or violates the Company's policies and procedures;
  - Operation of a whistleblowing/compliance hotline;
  - Addressing physical security, IT and network security;
  - Conducting internal investigations and detecting and preventing fraud or crime;
  - Conducting security, background, and health screenings, to the extent permitted and in accordance with applicable law;
  - Insurance claim investigation and resolution;
  - Protecting the rights, safety, and property of the Company, our employees, and/or others; and
  - Conducting intended mergers and acquisitions and other business reorganizations and job eliminations, business transfers, and potential divestments.
- Consent, as permitted by applicable law and where appropriate provided that such consent is voluntary and meets applicable legal requirements of such consent;
  - Compliance with legal obligations, in particular in the area of labor and employment law, social security and protection law, data protection law, tax law, and corporate compliance laws;
  - Protection of the vital interests of employees or of another individual; and
  - In addition and with regard to Sensitive (Special) Personal information:
    - Carrying out the obligations and exercising the specific rights of you or the Company in the field of employment and social security and social protection law as permitted by local data protection law or by a collective agreement;
    - Establishing, exercising, or defending legal claims or as required whenever courts are acting in their judicial capacity;
    - For assessment of employee working capacity, as permitted by local data protection law (including for the purpose of reintegration or support of employees in connection with illness or disability); and
    - Explicit consent, as permitted by applicable law and where appropriate provided that such consent is voluntary and meets applicable legal requirements of such explicit consent.

**5. Although the sections above describe the legal basis, and our primary purpose in collecting your information, in many situations we have more than one purpose. Our collection and processing of your information is based in different contexts upon your consent, our need to perform a contract, our obligations under law, and/or our general interest in conducting our business. Note that this Privacy**



## Policy may be updated to notify you of additional purposes for which we process your personal information. DISCLOSING Your Personal Information

In addition to the specific situations discussed elsewhere in this policy, we disclose, and may have disclosed in the preceding 12 months, your personal information in the following situations:

- **Affiliates.** We may disclose information to our corporate affiliates (*e.g.*, parent company, sister companies, subsidiaries, joint ventures, or other companies under common control) in the course of our normal business operations.
- **Business Transactions.** If another company acquires, or plans to acquire, any part of our company, business, or our assets, or similar corporate restructuring activities, we will also disclose information to that company, including at the negotiation stage.
- **Legal or Regulatory Requests and Investigations.** We may disclose information in response to subpoenas, warrants, or court orders, or in connection with any legal process or administrative proceeding, or to comply with relevant laws or regulations. We may also need to disclose your personal information to tax authorities, courts, regulators, the police and other governmental authorities where we are required or permitted to do so by law.
- **Prospective Job Placements.** We may disclose information such as your name, training and qualification records, certifications, and other information relevant to your candidacy to our clients, in order to facilitate your temporary or permanent job placement.
- **Other Third-Parties.** We may disclose certain information such as name, work contact details (including your workplace ID photo), training and qualification records, certifications, and other information about your work arrangements to other third parties, such as professional advisers (including lawyers, auditors, and accountants), professional bodies, and regulatory authorities in the normal course of business.
- **Other Disclosures with Your Consent.** We may ask to disclose your information to other unaffiliated third parties who are not described elsewhere in this Privacy Policy.
- **Protection of the Company or Others.** We may disclose your information in order to establish or exercise our rights, to defend against a legal claim, to investigate, prevent, or take action regarding possible illegal activities, suspected fraud, safety of person or property, or a violation of our policies.
- **Third-Party Service Providers.** We may disclose your information to service providers. For example, we may share your personal information with payroll administrators, IT service providers, training providers, benefits providers, security providers, and marketing/events providers.

## 6. Data Security

We maintain reasonable physical, technical and procedural safeguards that are appropriate to the sensitivity of the personal information in question. These safeguards are designed to help protect your personal information against loss, unauthorized access or disclosure, modification, or



destruction. While we use reasonable efforts to protect your personal information, we cannot guarantee the security of your personal information. In the event that we are required by law to inform you of any privacy or security event relating to your personal information we may notify you electronically, in writing, or by telephone, if permitted to do so by law.

Some of our internal programs require you to create an account. When you do you will be prompted to create a password. You are responsible for maintaining the confidentiality of your password, and you are responsible for any access to or use of your account by someone else that has obtained your password, whether or not such access or use has been authorized by you. You should notify us of any unauthorized use of your password or account.

## **7. INTERNATIONAL DATA TRANSFERS**

In certain situations, we may transfer your personal information to countries where data protection laws may not provide an equivalent level of protection to the laws of your home country. In such circumstances, the Company will take appropriate steps to provide an adequate level of data protection within the meaning of applicable data protection law, including by implementing the EU Standard Contractual Clauses and the UK Addendum to the EU Commission Standard Contractual Clauses, where required.

When engaging service providers, we will (i) exercise appropriate due diligence in the selection of such third party service providers, and (ii) require via appropriate contractual measures based on the EU Model Clauses, and the UK Addendum to the EU Commission Standard Contractual Clauses, approved codes of conduct, or other approved certification mechanisms that such third party service providers maintain adequate technical and organizational security measures to safeguard the personal information, and process the personal information only as instructed by the Company and for no other purposes.

You can request a copy of the appropriate safeguards referenced in this section by contacting us as set out below.

## **8. RETENTION PERIOD**

Your personal information is stored by the Company and/or our service providers for the performance of our obligations and to achieve the purposes for which the personal information is collected, in accordance with applicable data protection laws and internal retention policies and procedures. When we no longer need to use your personal information and/or we are no longer required by applicable law to retain personal information, we will remove it from our systems and records and/or take steps to properly render it anonymized so that you can no longer be identified from it. If personal information is needed for a legal claim, we will retain this data for as long as the issue is active and up to the time when the statute of limitations has expired.

## **9. Your Rights in Relation to Your Personal Information**

In the limited instances where we might obtain your consent to certain types of processing activities, you can withdraw this consent at any time with future effect. Such a withdrawal will not affect the lawfulness of the processing prior to the withdrawal of consent.





Depending on your place of residence, and pursuant to applicable data protection laws you have certain rights regarding your personal information. Please note that these rights might be limited under the applicable national data protection law.

- **Right of access.** You have the right to request access to personal information we hold about you. Specifically, you have the right to request access to information about the categories of personal information concerned and categories of recipients to whom the personal information has been or will be disclosed, and the sources from which we receive that personal information among other information. If required by law, upon request, we will grant you reasonable access to the personal information that we have about you. There may be instances where applicable law or regulatory requirements allow or require us to refuse to provide some or all of the personal information we hold about you.
- **Right of deletion (right to be forgotten).** You may request that we delete your personal information. In such cases, we will erase, or render permanently unintelligible, such personal information. There may be instances where applicable law or regulatory requirements allow or require us to refuse a deletion request. For example, we may keep your personal information as needed to comply with our legal obligations, resolve disputes, and/or enforce any of our agreements.
- **Right to rectification.** You generally have the right to obtain from us the rectification (i.e., correction) of inaccurate personal information concerning you. Depending on the purposes of the processing, you may have the right to have incomplete personal information completed, including by means of providing a supplementary statement.
- **Right to restriction of processing.** Under certain circumstances, you have the right to obtain from us restriction of processing of your personal information. In this case, the respective data will be marked and may only be processed by us for certain purposes. However, as the Company processes and uses your personal information primarily for purposes of carrying out the employment relationship with you, the Company will in principle have a legitimate interest for the processing which will override your restriction request, unless the restriction request relates to marketing activities (which generally do not apply in the employment context).
- **Right to data portability.** Under certain circumstances, you have the right to receive the personal information about you that you have provided to us, in a structured, commonly used and machine-readable format so you can transmit this personal information to another entity.
- **Right to object.** Under certain circumstances, you have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal information by us. Where such right applies, we will no longer process the relevant personal information. This is not an absolute right and does not apply in certain situations, such as when processing is necessary to perform the employment contract, to comply with applicable law, or to defend legal claims. Under certain circumstances, you have the right to object to a significant decision based solely on automated processing (i.e., without human intervention) unless that decision is required or authorized by law.
- **Non-discrimination.** We do not discriminate against employees who exercise any of their rights described in this Privacy Policy, nor do we retaliate against employees who exercise these rights. However, we may require the use of your Personal Information to



administer your employment relationship with us. Therefore, in some instances, we may not be able to process your request.

- **Restrict Use of Your Sensitive Personal Information (in certain instances and if permissible under applicable law).** You have the right to request the restriction of processing of your sensitive personal information. At the current time, however, we do not use or disclose sensitive personal information for purposes other than those described in this Policy and these uses cannot be limited under applicable law.
- **Opt-out of the Sale or Sharing of Personal Information.** We do not currently, nor have we in the preceding 12 months, sold or shared (in this context, share means use of your personal information for cross-contextual behavioural advertising) your personal information. We do not knowingly sell or share the Personal Information of individuals under the age of 16.
- **Notification of Employment Opportunities.** You may choose to provide us with your email address for the purpose of allowing us to send you employment opportunities. You can stop receiving these emails by following the unsubscribe instructions in e-mails that you receive. If you decide not to receive these emails, we may still send you service-related communications.

If you choose to assert any of these rights under applicable law, we will respond within the time period prescribed by such law. Please note that many of the above rights are subject to exceptions and limitations. Your rights and our responses will vary based on the circumstances of the request.

If you would like to exercise any of the above rights (to the extent these rights are provided to you by law), you may:

1. Call us at 800-536-1390; or
2. In the U.S., submit your request [online HERE](#).
3. Outside of the U.S., submit your request [online HERE](#).

Note that, as required by law, we may require you to prove your identity. We may conduct an identity verification by phone call, email, online portal, or in person. Depending on your request, we will ask for information such as your name, your email address, your phone number, your position in the company, or the date you submitted your application to us.

In some circumstances, you may designate an authorized agent to submit requests to exercise certain privacy rights on your behalf. If you designate an authorized person to submit requests to exercise certain privacy rights on your behalf, we will require that you verify that you provided the authorized agent permission to make a request on your behalf, as well as verify your own identity directly with us.

## 10. Other Important Information

The following additional information relates to our privacy practices:

- **Changes To This Privacy Policy.** We may change our privacy policy and practices over time. To the extent that our policy changes in a material way, the policy that was in place at the time that you submitted personal information to us will generally govern that



information unless we receive your consent to the new privacy policy. Our privacy policy includes an “effective” and “last updated” date. The effective date refers to the date that the current version took effect. The last updated date refers to the date that the current version was last substantively modified.

- **Contact Information.** If you have any questions about this Privacy Policy, please contact [myprivacy@apexsystems.com](mailto:myprivacy@apexsystems.com) in the U.S. If you are in the United Kingdom, the European Union, or Switzerland please contact [MyPrivacyGDPR@apexsystems.com](mailto:MyPrivacyGDPR@apexsystems.com). Depending on your location, you may also have the right to lodge a complaint with a competent data protection supervisory authority if you have questions or concerns that you feel we have not addressed.
- **Effective Date.** This policy is effective as of January 1, 2020.
- **Last Revised:** January 5, 2023