

# **Edwards Lifesciences**

## **Data Privacy Notice for U.S. Job Applicants**

**Updated September 1, 2020, to address data retention**

### **1. Overview**

Edwards Lifesciences Corporation and its subsidiaries and affiliates (collectively "**Edwards Lifesciences**") issue this Data Privacy Notice for job applicants, to describe how we handle the personal information we receive during the recruitment process. This Notice extends to all who apply for employment at any Edwards Lifesciences entity in the United States, whether you submit your information to us directly, or whether your information is provided to us by an independent recruiter.

We respect the privacy rights of individuals and are committed to handling personal information responsibly and in accordance with applicable law, including the California Consumer Privacy Act (Civil Code section 1798.100 et seq.), which took effect in January 2020. This Notice sets out the personal information that we collect and process about you, the purposes of the processing, and the rights that you have in connection with it.

If you are in any doubt regarding the applicable standards, or have any comments or questions about this Notice, please contact us at the contact details further below.

### **2. Types of personal information we collect, and from where**

In the course of the recruitment process at Edwards Lifesciences, we may process personal information about you in the context of your application. The categories of personal information we collect and process may include:

- Identification data – such as your name, photograph, gender, date of birth, racial/ethnic origin (for purposes of assuring diversity and equal employment opportunities).
- Contact details – such as address, telephone/email address, emergency contact details.
- Background information – such as academic/professional qualifications, education, CV/resume, details of previous employment, references, languages, criminal records data (where permissible and in accordance with applicable law), information obtained through references and pre-employment background/drug checks.
- National identifiers – such as national ID/passport numbers, immigration status, driver's license, or Social Security numbers, and other information necessary to verify employment eligibility.
- Financial information – such as bank account details, in the event you incur reimbursable expenses during the recruitment process.
- Information you have made publicly available, such as social media (e.g., Facebook, Instagram, Twitter, LinkedIn, and the like) profiles and posts (where permitted by applicable law).

In most cases, the information is collected directly from you, or from publicly-available records. We also collect information from recruiters, former employers, references, and

background check providers during the recruiting process, and from those who participated in your interviews.

### **3. Purposes for processing personal information**

We collect and use this personal information primarily for the purpose of evaluating your qualifications for the position to which you have applied.

We may also collect and use personal information when it is necessary for other legitimate purposes, such as to investigate violations of law or breaches of our own internal policies.

Your personal information may also be used where we consider it necessary for complying with laws and regulations, including collecting and disclosing applicant personal information as required by law (e.g., for tax, health and safety, anti-discrimination laws), under judicial authorization, or to exercise or defend the legal rights of Edwards Lifesciences.

### **4. Monitoring of our premises**

In the event you come to Edwards Lifesciences facilities during the recruitment process, your personal information may also be processed in the course of our monitoring activities. We monitor access to our premises.

### **5. Sale of your personal information.**

Edwards does not sell personal information. We do disclose personal information to service providers as described below.

### **6. Who we disclose your personal information to**

Edwards Lifesciences takes care to allow access to personal information about job applicants only to those who require such access to perform their tasks and duties and to service providers who have a legitimate purpose for accessing it. Whenever we permit a service provider to access personal information, we will implement appropriate measures to ensure the information is used in a manner consistent with this Notice and that the confidentiality and integrity of the information is maintained.

#### *(i) Transfers to other group companies*

We may share your personal information with other Edwards Lifesciences companies around the world, whose personnel may participate in your application process, or to evaluate your qualifications for other open positions.

#### *(ii) Transfers to service providers*

In addition, we make certain personal information available to service providers, on a "need to know basis" and in accordance with applicable data privacy law.

For example, some personal information will be available to service providers who assist in recruiting candidates, who assist with candidate travel for interviews, and who perform background checks and drug screens.

In addition, many of the applications we use for our business are hosted by cloud service providers, and your information is therefore made available to these providers. This includes our hosted recruitment platform, Workday, as well as our hosted expense management program, Concur (for those who incur reimbursable expenses in the recruitment process). We do not expect cloud service providers to access your data on a routine basis.

(iii) *Transfers to other third parties*

We may also disclose personal information to other third parties on other lawful grounds, including but not limited to:

- To comply with our legal obligations, including where necessary to abide by law, regulation or contract, or to respond to a court order, administrative or judicial process, or to meet national security or law enforcement requests, including, but not limited to, a subpoena or search warrant;
- With your consent;
- As necessary to establish, exercise or defend against potential, threatened, or actual litigation;
- Where necessary to protect the vital interests of another person;
- In connection with the sale, assignment or other transfer of all or part of our business.

## 7. Data retention periods

The guiding principle adopted by Edwards Lifesciences is that your personal information will be stored in accordance with applicable laws and kept as long as needed to carry out the purposes described in this Notice or as otherwise required by contractual agreements with third parties, law or other Edwards Lifesciences policies.

If you are hired as an employee of Edwards Lifesciences, information collected during the recruitment process will be transferred to the HR system used to manage employees, and you will be given a Privacy Notice which describes our privacy practices for employees and other workers.

If you are not hired as an employee, your information will be retained for three (3) years from the date the job requisition is closed. This retention period is necessary because Edwards is subject to audits from the Office of Federal Contract Compliance Programs (OFCCP) and other government agencies tasked with ensuring appropriate hiring practices.

## 8. Your data privacy rights

California residents have specific rights under the California Consumer Privacy Act:

- The right to know what specific personal information we hold about you, the categories of sources of that information, the purpose(s) for collecting the

information, disclosures that have been made for business purposes, and the categories of third parties to whom it was disclosed.

- The right to copies of the personal information we hold about you.
- The right to have your personal information deleted, although the law identifies several instances in which you will not be entitled to deletion.
- The right to know what data has been sold, and to opt out of sales of your personal data. Please note that Edwards does not sell personal data.
- If we are relying on your consent to process your personal information, you have the right to withdraw your consent at any time. Please note, however, that this will not affect the lawfulness of the processing before its withdrawal.

We will not discriminate against you for exercising any of your privacy rights.

Requests should be addressed as described in section 12, below. We will respond within the legally-required timeframe. Please note that the law requires we verify your identity before responding to the request.

## **9. Status of this Notice**

This Notice does not form part of any contractual relationship between Edwards Lifesciences and a candidate and is not a commitment to employment.

## **10. Updates to this Notice**

This Notice may be updated periodically to reflect any necessary changes in our privacy practices. In such cases, we will make the updated version available and indicate at the top of the Notice when it was most recently updated.

## **11. Questions and Concerns**

You can address any questions or concerns relating to this Notice and our privacy practices to the contact details further below.

We will cooperate with relevant authorities in investigations and resolutions of complaints relating to this Notice. We commit to cooperate and comply in good faith with the advice of these authorities, including remedial measures for the benefit of job applicants.

## **12. Contact details**

Questions specifically related to privacy and data protection may be addressed to the Privacy Office, Edwards Lifesciences, One Edwards Way, Irvine, CA 92614, (949) 756-4584 or by email to [privacy@edwards.com](mailto:privacy@edwards.com).