

Kohler Co.
Privacy Notice
for
United States Employees

CALIFORNIA RESIDENTS: CALIFORNIA LAW REQUIRES THAT WE PROVIDE YOU THIS NOTICE ABOUT THE COLLECTION AND USE OF YOUR PERSONAL INFORMATION. WE ENCOURAGE YOU TO READ IT CAREFULLY.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATIVE FORMATS, SUCH AS LARGE PRINT, BRAILLE, OR AUDIO. PLEASE CONTACT KohlerGlobalDataPrivacy@kohler.com, AND AN ALTERNATIVE FORMAT WILL BE PROVIDED TO YOU SO YOU CAN ACCESS THE INFORMATION IN THIS NOTICE.

Last Updated:

1. Introduction

This notice (“**Notice**”) describes the categories of personal information that **Kohler Co.** and its subsidiaries and affiliates, (“**Company**”, “**we**”, “**us**” and “**our**”) collect about our employees who are United States residents, and how we use and disclose that information.

This Notice applies to personal information we collect about you in relation to your employment with the Company. For information about our practices when you interact with us offline or online in the same manner that a website visitor or someone who is not an employee may interact with us, see our [Kohler Co. Privacy Notice](#).

This Notice does not create or form part of any employment contract.

If you have questions about this Notice, please contact KohlerGlobalDataPrivacy@kohler.com.

2. Information we collect about employees

2.1. Categories of personal information

Below are categories of “**personal information**” and “**sensitive personal information**” we may collect and process before, during and after your employment. For purposes of this Notice, “**personal information**” and “**sensitive personal information**” have the meanings given in the California Consumer Privacy Act of 2018 (as amended from time to time, including by the California Privacy Rights Act of 2020) (the “**CCPA**”).

- **Contact information**, such as your work and home address, telephone number, email address and social media handles;
- **Identification information**, such as your social security number, government-issued identification information (e.g., driver’s license, passport), photographs, or other similar identifiers;
- **Immigration status** and other information that would allow us to verify your employment eligibility;

- **Biographical information**, such as name, gender/gender identity, pronouns, date of birth, professional history, language proficiencies, professional qualifications, references, education details, information in your company biography, social media profiles and activity, and your photo;
- **Professional qualifications**, such as professional designations, licensure information, memberships, leadership positions, credentials, professional qualifications and continuing education information;
- **General employment information**, such as department, work location, job title, dates of employment, work status (e.g., full-time/part-time), any terms or conditions of employment, work history (current, past, or prospective), timekeeping information, personnel and disciplinary records, training and learning program participation, information necessary to complete background checks, drug and/or alcohol tests, and other screens permitted by law, and other information reasonably necessary to administer the employment relationship with you, including without limitation information related to absence administration, workers' compensation matters and emergency services;
- **Compensation, benefits and payroll information**, such as salary and bonus details, benefits information (including information regarding health insurance and retirement savings), equity award information, bank account information and working time records (e.g., vacation and absence records, sick leave, leave status, and hours worked);
- **Performance information**, such as management metrics, performance evaluations, feedback, and promotion history; and information obtained through your use of Company devices, vehicles, and other Company equipment (e.g., driving behaviors, usage patterns and other performance metrics);
- **Information about related persons**, such as your spouse, domestic/civil partner, dependents, beneficiaries and emergency contacts;
- **Credentials, technology, access and system information**, such as your Company email address, usernames, passwords, and keycard number; information about your use of, as well as content and communications you send and receive through, devices, vehicles and other equipment, Company communications, IT systems and applications (e.g., time of use, files accessed, search history, web pages viewed, IP address, device/equipment ID, device/equipment geolocation, device/equipment usage); and information about your access to and location within offices and facilities (e.g., keycard scans and security camera footage);
- **Expenses and travel information**, such as information about your business travel and other business expenses;
- **Health care, welfare, and medical information**, such as information related to your or your eligible dependent's participation in wellness and employee assistance programs, executive physicals and health insurance programs and your body temperature, vaccination status, health symptoms and other screening and tracking information (including travel information, participation in health education programs, and information about your related persons) in connection with the Company's health and safety plans and protocols, including screening required to access Company offices/facilities and other measures designed to prevent the transmission of COVID-19 or other infectious diseases;

- **Biometric information** such as scans of your facial geometry, fingerprint scans and voiceprints may be collected in certain Company locations or through use of certain Company equipment in accordance with applicable law.
- **Information needed to evaluate accommodation requests regarding potential disabilities or other health conditions;** and
- **Other information you provide to us**, such as in your general communications with us, and your feedback and survey responses where you choose to identify yourself.

In certain cases we may ask you for additional information for purposes of monitoring equal opportunity and/or complying with applicable laws. We may also inquire about criminal and/or credit records. We will do so only where permitted by applicable law.

2.2. *Sources of personal information*

We collect personal information from you during your candidacy for a job, and during and after your employment.

We may also collect your personal information from various other sources and combine it with the personal information you provide to us. For example, we may collect your personal information from:

- job board websites you may use to apply for a job with us;
- providers of services that we make available to our employees as part of our benefits program;
- prior employers, when they provide us with employment references;
- professional references that you authorize us to contact;
- providers of background check, credit check, or other screening services (where permitted by law);
- your public social media profiles or other publicly-available sources;
- employment agencies or recruiters;
- your related persons who communicate with us directly;
- Company devices, equipment, communications and IT systems/applications that automatically collect information about, and transmitted by, users; and
- other Company personnel.

This section generally describes our practices currently and during the preceding 12 months.

3. **How we use personal information of employees**

3.1. *Purposes for which we use personal information*

We may use the categories of personal information above for the following purposes:

- **Workforce management.** Managing work activities and personnel generally, such as:
 - recruiting, interviewing and evaluating job candidates and employees;
 - administration of payroll, wages and other compensation;
 - granting and administering equity awards, bonuses, commissions and other incentive awards;
 - administering and evaluating employee benefits, including healthcare, pensions, retirement and savings plans and loans;
 - maintaining contact details of your designated dependents and beneficiaries and communicating with them as necessary in the administration of your employee benefits and

awards;

- maintaining contact details of your designated emergency contacts and communicating with them as necessary in emergencies;
 - administering and evaluating vacation, paid time off, sick leave, and other leaves of absence;
 - performance and compensation evaluation and promotions;
 - providing training and career development opportunities;
 - administering employee transfers, reassignments and secondments;
 - conducting employee surveys and soliciting employee feedback;
 - performing background, reference, or credit checks;
 - managing disciplinary matters, grievances and terminations;
 - administering business expense tracking, reimbursements and travel;
 - assisting with obtaining an immigration visa or work permit;
 - improving our application and/or recruitment process, including improving diversity;
 - accommodating disabilities or health conditions;
 - providing information technology resources and support;
 - maintaining internal employee directories;
 - communicating with you;
 - identity verification;
 - tracking time and attendance;
 - otherwise administering our relationship with you as your employer or former employer; and
 - analyzing our workforce and information relating to any of the activities above.
- **Business operations.** Operating and managing our business, including managing communications and IT systems; research, development and operation of our products and/or services; managing and allocating Company assets and personnel; strategic planning and project management; business continuity; maintenance of business and audit records; budgeting, financial management and reporting; internal communications; promoting our business; physical and information security; health and safety, including the personal safety and security of employees, contractors, vendors and other visitors; and evaluating and undergoing mergers, acquisitions, sales, re-organizations or disposals and integration with purchasers.
 - **Compliance, safety and protection.** Complying with legal and other requirements, such as tax, audit, recordkeeping, reporting, verifying identity (including possibly through biometric authentication in accordance with applicable law) and eligibility to work, and equal opportunities monitoring requirements; complying with lawful requests and legal process, such as to respond to subpoenas or requests from government authorities; protecting our, your or others' rights, safety, security and property, including by complying with applicable public health guidelines and

requirements, including, without limitation, guidance from the Centers for Disease Control or other public health authorities relating to the prevention and control of COVID-19 or other infectious diseases; investigating and deterring against fraudulent, harmful, unauthorized, unethical or illegal activity, or conduct in violation of our policies or procedures; pursuing legal rights and remedies, including investigating, making and defending complaints or legal claims; administering and enforcing internal policies and procedures; and providing information to government authorities, law enforcement, courts or private parties for the foregoing purposes.

- **Monitoring.** Monitoring Company offices and facilities, IT and communications systems, devices, equipment and applications and tracking time and attendance through manual review and automated tools such as security software, biometric time-keeping devices (in accordance with applicable law), website and spam filtering software, mobile device management software, and controlling access to and monitoring our physical premises (e.g., by requiring health screenings to access offices/facilities and using security cameras and keycard scans); operate, maintain and protect the security of our network systems and devices; protect our proprietary and confidential information and intellectual property; for recordkeeping and archiving; for personnel training and/or performance management; for the Compliance, safety and protection purposes described above; to investigate and respond to security and other incidents; and for business continuity (such as monitoring business-related emails following an employee's departure).
- **Analytics.** Creating anonymous, aggregated or deidentified data that we use and disclose to analyze our workforce and business and for other lawful business purposes. We do not attempt to reidentify deidentified information derived from personal information, except for the purpose of testing whether our deidentification processes comply with applicable law.

3.2. *Disclosing personal information*

We may disclose your personal information to the following parties to facilitate one or more of the purposes described above:

- **Affiliates.** Other Affiliates within the Kohler group for purposes consistent with this Notice or to operate shared infrastructure, systems and technology.
- **Company service providers.** Providers of services to the Company, such as payroll administration, benefits and wellness, human resources, occupational health, performance management and time-tracking and attendance, identity verification, training, expense management, travel agencies, transportation and lodging, IT systems and support, information and physical security, background checks and other screenings, equity award administration, corporate banking and credit cards, health care, trade associations, insurance brokers, claims handlers and loss adjusters, and any necessary third party administrators, nominees, registrars or trustees appointed in connection with benefits plans or programs.
- **Employee benefits providers.** Providers of services to eligible employees as part of our employee benefits program (e.g., financial advisors, securities brokers, financial institutions and providers of health, fitness, wellness, childcare and concierge services) who need your information to verify your eligibility and provide you with services.
- **Our marketing audience.** Current and prospective customers and other business contacts with whom we provide your Company contact details, bio, and company headshot photo, as well as other information you authorize us to provide, including on our website or in other publicly available marketing materials and communications as part of our marketing activities.
- **Government authorities, law enforcement and others.** Government authorities, law enforcement, courts, and others for the purposes described in the Compliance, safety and protection section above.

- **Business transfer participants.** Parties (and their advisors) to transactions and potential transactions pursuant to which we sell or transfer some or all of our business or assets, including your personal information, such as a corporate divestiture, merger, consolidation, acquisition, reorganization or sale of assets, or in the event of bankruptcy or dissolution.
- **Professional advisors.** Accountants, auditors, lawyers, insurers, bankers, and other outside professional advisors who require your information in the course of providing their services.
- **Customers and business partners.** Customers, other companies and individuals with whom the Company does business or is exploring a business relationship.
- **Other parties** not listed above but that are identified at or before the point at which we collect your personal information.

3.3 *Retention*

The criteria for deciding how long to retain personal information is generally based on whether such period is sufficient to fulfill the purposes for which we collected it as described in this Notice, including to comply with our legal records retention obligations and for the Compliance, safety, and protection purposes described above.

3.4 *Specific information for California residents*

Personal information that we collect, use and disclose

This section supplements the above and includes additional information for California residents required by the CCPA. We may collect these categories of information from the sources and for the business purposes described in Sections 2.3 and 3.1 above. We also may disclose personal information for such purposes as described in Section 3.2 and to service providers and contractors (as those terms are defined in the CCPA).

The tables below describe our personal information practices by reference to the categories in the “Information we collect about employees” section above and the categories described in the CCPA (Cal. Civ. Code Section 1798.140(v)) and describe our practices currently and during the 12 months preceding the effective date of this Notice.

Personal information (“PI”) we collect	CCPA statutory category
• Contact information	• Identifiers • Professional or employment-related information • Education information • California customer records (as defined in California Civil Code §1798.80)
• Identification information	• Identifiers • Internet or other electronic network activity information • Audio/electronic/visual/ thermal/olfactory or similar information (“Sensory information”) • California customer records (as defined in California Civil Code §1798.80)

Personal information (“PI”) we collect	CCPA statutory category
• Biographical information	• Identifiers • Professional or employment-related information • Education information • Audio/electronic/visual/ thermal/olfactory or similar information (“Sensory information”) • California customer records (as defined in California Civil Code §1798.80)
• Professional qualifications	• Identifiers • Professional or employment-related information • Education information • California customer records (as defined in California Civil Code §1798.80)
• General employment information	• Identifiers • Professional or employment-related information • California customer records (as defined in California Civil Code §1798.80)
• Compensation, benefits, and payroll information	• Identifiers • Professional or employment-related information • California customer records (as defined in California Civil Code §1798.80)
• Performance information	• Identifiers • Internet/electronic network activity information • Professional or employment-related information
• Information about related persons	• Identifiers • Professional or employment-related information • California customer records (as defined in California Civil Code §1798.80)
• Credentials, technology, access and system information	• Identifiers • Internet/electronic network activity information • Professional or employment-related information
• Expenses and travel information	• Identifiers • Professional or employment-related information
• Other information you provide to us	• Identifiers • Professional or employment-related information

Sensitive personal information (“SPI”) we collect	CCPA statutory category
• Identification information	• Identifiers • California customer records (as defined in California Civil Code §1798.80)

Sensitive personal information (“SPI”) we collect	CCPA statutory category
	• Sensitive personal information
• Immigration status	• Identifiers • Professional or employment-related information • Education information • Protected classification characteristics • California customer records (as defined in California Civil Code §1798.80) • Sensitive personal information
• Compensation, benefits, and payroll information	• Identifiers • Professional or employment-related information • California customer records (as defined in California Civil Code §1798.80) • Sensitive personal information
• Performance information	• Identifiers • Internet/electronic network activity information • Geolocation • Professional or employment-related information • Sensitive personal information
• Credentials, technology, access and system information	• Identifiers • Internet/electronic network activity information • Geolocation • Professional or employment-related information • Sensitive personal information
• Health care, welfare, and medical information	• Identifiers • California customer records (as defined in California Civil Code §1798.80) • Professional or employment-related information • Sensitive personal information
• Biometric information	• Biometric information • Sensitive personal information • Sensory information
• Information needed to evaluate accommodation requests regarding potential disabilities or other health conditions	• Identifiers • California customer records (as defined in California Civil Code §1798.80) • Professional or employment-related information • Sensitive personal information
• Other information you provide to us	• Identifiers • Professional or employment-related information • Sensitive personal information

Sale/Sharing of Personal Information

We do not sell or share personal information of employees in the manner restricted by the CCPA and have not done so in the preceding 12 months.

Sensitive personal information

We do not use or disclose sensitive personal information in ways subject to California residents' right to limit use or disclosure of sensitive personal information under the CCPA.

Your California privacy rights

California residents, but not residents of other states, have the rights listed below under the CCPA. However, these rights are not absolute, and in certain cases we may decline your request as permitted by law.

- **Information.** You can request the following information about how we have collected and used your personal information:
 - The categories or specific pieces of personal information that we have collected about you and inferences derived from such personal information.
 - The categories of sources from which we collected personal information.
 - The business or commercial purpose for collecting, selling or sharing personal information.
 - The categories of third parties to whom we disclose personal information.
 - The categories of personal information that we sold or disclosed for a business purpose.
 - The categories of third parties to whom the personal information was sold or disclosed for a business purpose.
- **Access.** You can request a copy of the personal information that we have collected about you.
- **Deletion.** You can ask us to delete certain personal information that we have collected about you and/or from you.
- **Correction.** You can ask us to correct inaccurate personal information that we have collected about you.
- **Opt-out of sales or sharing of personal information.** California residents can opt-out of any “sale” of their personal information or “sharing” of personal information for cross-contextual behavioral advertising as such terms are defined under the CCPA. We do not sell or share personal information of employees in the manner restricted by the CCPA and have not done so in the preceding 12 months. However, we encourage you to review our Privacy Policy ([here](#)) for information about the sale or sharing of personal information that may occur when you interact with us offline or online in the same manner that a website visitor or other non-employee may interact with us. We have no actual knowledge of having sold or shared the personal information in the past 12 months of employees under age 16.
- **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination as prohibited by the CCPA, including exercising such rights without retaliation.

How to exercise your California privacy rights

You may submit requests to exercise your rights at KohlerGlobalDataPrivacy@kohler.com by using your work email address or by meeting with a member of Human Resources. Submitting your request through such channels allows us to verify your identity as required by the CCPA, if you are a current employee. For former employees, we may require identity verification by requiring you to log into an online account for former employees if you have one, provide information that can help us verify your identity, provide government identification, and/or provide an affidavit under penalty of perjury. We cannot process your request if you do not provide us with sufficient detail to allow us to understand and respond to it. We reserve the right to confirm your California residency.

Your authorized agent may make a request on your behalf upon our verification of the agent's identity and our receipt of a copy of a valid power of attorney given to your authorized agent pursuant to California Probate Code Sections 4000-4465. If you have not provided your agent with such a power of attorney, you must provide your agent with written and signed permission to exercise your CCPA rights on your behalf, provide the information we request to verify your identity, and provide us with confirmation that you have given the authorized agent permission to submit the request.

Automated Decision-Making

We do not use automated decision-making technologies that result in legal or significant financial impacts, significant impacts on housing, education, employment, or healthcare, or similarly significant impacts as defined in the CCPA.

4. Third parties

This Notice does not address, and we are not responsible for, the practices of any third parties, which have their own rules for how they collect and use your personal information. Our links to third party websites or services are not endorsements.

5. Changes to this Notice

We reserve the right to change this Notice at any time. The "Last Updated" heading at the top of this Notice indicates when it was last revised. Any changes will become effective when we post the revised notice on <https://www.kohlercompany.com/workforce-privacy/>.

Your obligations

It is your responsibility to ensure that the information you provide to us does not violate any third party's rights. You should keep your personal information on file with the Company up to date and inform us of any significant changes to it.

Kohler Co.
Privacy Notice
for
United States Contractors

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Last Updated:

1. Introduction

This notice (“**Notice**”) describes the categories of personal information that **Kohler Co.**, and its subsidiaries and affiliates, (“**Company**”, “**we**”, “**us**” and “**our**”) collect about our contractors who are United States residents, and the purposes for which we use and disclose that information.

This Notice applies to personal information we collect about you in your capacity as a contractor. For information about our practices when you interact with us offline or online in the same manner that a website visitor or someone who is not a contractor may interact with us, see our [Kohler Co. Privacy Notice](#).

This Notice does not create or form part of any contract nor is it intended to create an employment relationship between the Company and you.

If you have questions about this Notice, please contact KohlerGlobalDataPrivacy@kohler.com.

2. Information we collect about contractors

2.1. Categories of personal information

Below are categories of “**personal information**” and “**sensitive personal information**” we may collect and process before, during and after your engagement with the Company.

For purposes of this Notice, “**personal information**” and “**sensitive personal information**” have the meanings given in the California Consumer Privacy Act of 2018 (as amended from time to time, including by the California Privacy Rights Act of 2020) (the “**CCPA**”).

- **Contact information**, such as your work and home address, telephone number, email address, and social media handles;
- **Identification information**, such as your social security number, government-issued identification information (e.g., driver’s license, passport) photographs, or other similar identifiers;
- **Immigration status** and other information that would allow us to verify employment eligibility;
- **Payment information**, such as your fee and payment information, banking details, hours worked and reimbursable expenses;
- **Role/function information**, such as a description of current role/function and services, branch/unit/department, location, terms of engagement as an independent contractor or through a staffing agency or other third party that employs you, contract start and termination date(s) and reason;
- **Evaluation information**, such as your resume/CV or other information, including materials provided by staffing agencies or other third parties and information obtained through your use of

Company devices, vehicles and other equipment, to evaluate your skills and qualifications (e.g., education history, professional qualifications, language, skills, certifications, driving behaviors, usage patterns and other performance metrics), and complete a background check where requested and permitted by law;

- **Credentials, technology, access and system information**, such as your Company email address, usernames, passwords, and keycard number; information about your use of, as well as content and communications you send and receive through, devices, vehicles and other equipment, Company communications, IT systems and applications (e.g., time of use, files accessed, search history, web pages viewed, IP address, device/equipment ID, device/equipment geolocation, device/equipment usage); and information about your access to and location within offices and facilities (e.g., keycard scans and security camera footage);
- **Medical information**, such as your body temperature, health symptoms, vaccination status and other screening information in connection with the Company's health and safety plans and protocols, including screening required to access Company offices/facilities and other measures designed to prevent the transmission of COVID-19 or other infectious diseases;
- **Biometric information** such as scans of your facial geometry, fingerprint scans and voiceprints may be collected in certain Company locations or through use of certain Company equipment in accordance with applicable law.
- **Information needed to evaluate accommodation requests regarding potential disabilities or other health conditions**; and
- **Other information you provide to us**, such as in your general communications with us during your engagement with us, and your feedback and survey responses where you choose to identify yourself.

In certain cases, we may ask you for additional information for the purposes of monitoring equal opportunity and/or complying with applicable laws. We may also inquire about criminal and/or credit records. We will do so only where permitted by applicable law.

2.2. *Sources of personal information*

We collect personal information from you during and after the course of your engagement. We may also collect your personal information from various other sources and combine it with the personal information you provide to us. For example, we may collect your personal information from:

- your employers, including staffing agencies or other third parties that refer you to us;
- professional references;
- providers of background check, credit check, or other screening services (where permitted by law);
- your public social media profiles or other publicly available sources;
- Company devices, equipment, communications and IT systems/applications that automatically collect information about, and transmitted by, users; and
- other Company personnel.

This section generally describes our practices currently and during the preceding 12 months.

3. **How we use personal information of contractors**

3.1. *Purposes for which we use personal information*

We may use the categories of personal information above for the following purposes:

- **Workforce management.** Managing work activities and personnel generally, such as:
 - communicating with you;

- paying fees in respect of your services and managing authorized expense reimbursements;
 - performing background, reference, and/or credit checks;
 - identity verification;
 - tracking time and attendance;
 - providing information technology resources and support;
 - maintaining internal personnel directories; and
 - otherwise administering our engagement with you.
- **Business operations.** Operating and managing our business, including managing communications and IT systems; research, development and operation of our products and/or services; managing and allocating Company assets and personnel; strategic planning and project management; business continuity; maintenance of business and audit records; budgeting, financial management and reporting; internal communications; promoting our business; physical and information security; health and safety, including the personal safety and security of employees, contractors, vendors and other visitors; and evaluating and undergoing mergers, acquisitions, sales, re-organizations or disposals and integration with purchasers.
 - **Compliance, safety, and protection.** Complying with legal and other requirements, such as tax, audit, recordkeeping, reporting, verifying identity (including possibly through biometric authentication in accordance with applicable law); and eligibility to work, and equal opportunities monitoring requirements; complying with lawful requests and legal process, such as to respond to subpoenas or requests from government authorities; protecting our, your or others' rights, safety, security and property, including by complying with applicable public health guidelines and requirements, including, without limitation, guidance from the Centers for Disease Control or other public health authorities relating to the prevention and control of COVID-19 or other infectious diseases; investigating and deterring against fraudulent, harmful, unauthorized, unethical or illegal activity, or conduct in violation of our policies or procedures; pursuing legal rights and remedies, including investigating, making and defending complaints or legal claims; administering and enforcing internal policies and procedures; and providing information to government authorities, law enforcement, courts or private parties for the foregoing purposes.
 - **Monitoring.** Monitoring Company offices and facilities, IT and communications systems, devices, equipment and applications and tracking time and attendance through manual review and automated tools such as security software, biometric time-keeping devices (in accordance with applicable law), website and spam filtering software, mobile device management software, and controlling access to and monitoring our physical premises (e.g., by requiring health screenings to access offices/facilities and using security cameras and keycard scans); operate, maintain and protect the security of our network systems and devices; protect our proprietary and confidential information and intellectual property; for recordkeeping and archiving; for personnel training (where applicable); for the Compliance, safety and protection purposes described above; to investigate and respond to security and other incidents; and for business continuity (such as monitoring business-related emails following a contractor's departure).
 - **Analytics.** Creating anonymous, aggregated or deidentified data that we use and disclose to analyze our workforce and business and for other lawful business purposes. We do not attempt to reidentify deidentified information derived from personal information, except for the purpose of testing whether our deidentification processes comply with applicable law.

3.2. *Disclosing personal information*

We may disclose your personal information to the following parties to facilitate one or more of the purposes described above.

- **Affiliates.** Other Affiliates within the Kohler group for purposes consistent with this Notice or to operate shared infrastructure, systems and technology.

- **Company service providers.** Providers of services to the Company, such as IT systems and support, information and physical security and background check providers, performance management, time-tracking and attendance, and identity verification.
- **Business contacts.** Current and prospective customers and other business contacts that you interact with in the ordinary course of your engagement.
- **Government authorities, law enforcement and others.** Government authorities, law enforcement, courts, and others for the purposes described in the Compliance, safety and protection section above.
- **Business transfer participants.** Parties (and their advisors) to transactions and potential transactions pursuant to which we sell, or transfer some or all of our business or assets, including your personal information, such as a corporate divestiture, merger, consolidation, acquisition, reorganization or sale of assets, or in the event of bankruptcy or dissolution.
- **Professional advisors.** Accountants, auditors, lawyers, insurers, bankers, and other outside professional advisors who require your information in the course of providing their services.
- **Customers and business partners.** Customers, other companies and individuals with whom the Company does business or is exploring a business relationship.
- **Other parties** not listed above but that are identified at or before the point at which we collect your personal information.

3.3. *Retention*

The criteria for deciding how long to retain personal information is generally based on whether such period is sufficient to fulfill the purposes for which we collected it as described in this Notice, including to comply with our legal records retention obligations and for the Compliance, safety, and protection purposes described above.

3.4. *Specific information for California residents*

Personal information that we collect, use, and disclose

This section supplements the above and includes additional information for California residents required by the CCPA. We may collect these categories of information from the sources and for the business purposes described in Sections 2.3 and 3.1 above. We also may disclose personal information for such purposes as described in Section 3.2 and to service providers and contractors (as those terms are defined in the CCPA).

The tables below describe our personal information practices by reference to the categories in the “Information we collect about contractors” section above and the categories described in the CCPA (Cal. Civ. Code Section 1798.140(v)) and describe our practices currently and during the 12 months preceding the effective date of this Notice.

Personal information (“PI”) we collect	CCPA statutory category
• Contact information	• Identifiers • Professional or employment-related information • Education information • California customer records (as defined in California Civil Code §1798.80)

Personal information (“PI”) we collect	CCPA statutory category
• Identification information	• Identifiers • Internet or other electronic network activity information • Audio/electronic/visual/ thermal/olfactory or similar information (“Sensory information”) • California customer records (as defined in California Civil Code §1798.80)
• Payment information	• Identifiers • Professional or employment-related information • California customer records (as defined in California Civil Code §1798.80)
• Role/function information	• Identifiers • Professional or employment-related information • Education information • California customer records (as defined in California Civil Code §1798.80)
• Evaluation information	• Identifiers • Internet/electronic network activity information • Professional or employment-related information
• Credentials, technology, access, and system information	• Identifiers • Internet/electronic network activity information • Professional or employment-related information
• Other information you provide to us	• Identifiers • Professional or employment-related information

Sensitive personal information (“SPI”) we collect	CCPA statutory category
• Identification information	• Identifiers • California customer records (as defined in California Civil Code §1798.80) • Sensitive personal information
• Immigration status	• Identifiers • Professional or employment-related information • Education information • Protected classification characteristics • California customer records (as defined in California Civil Code §1798.80) • Sensitive personal information

Sensitive personal information (“SPI”) we collect	CCPA statutory category
• Payment information	• Identifiers • Professional or employment-related information • California customer records (as defined in California Civil Code §1798.80) • Sensitive personal information
• Role/function information	• Identifiers • Professional or employment-related information • Education information • Protected classification characteristics • California customer records (as defined in California Civil Code §1798.80) • Sensitive personal information
• Evaluation information	• Identifiers • Internet/electronic network activity information • Geolocation • Professional or employment-related information • Sensitive personal information
• Credentials, technology, access, and system information	• Identifiers • Internet/electronic network activity information • Geolocation • Professional or employment-related information • Sensitive personal information
• Medical information	• Identifiers • California customer records (as defined in California Civil Code §1798.80) • Professional or employment-related information • Sensitive personal information
• [Biometric information]	• Biometric information • Sensitive personal information • Sensory information
• Information needed to evaluate accommodation requests regarding potential disabilities or other health conditions	• Identifiers • California customer records (as defined in California Civil Code §1798.80) • Professional or employment-related information • Sensitive personal information
• Other information you provide to us	• Identifiers • Professional or employment-related information • Sensitive personal information

Sale/Sharing of Personal Information

We do not sell or share personal information of employees in the manner restricted by the CCPA and have not done so in the preceding 12 months.

Sensitive personal information

We do not use or disclose sensitive personal information in ways subject to California residents' right to limit use or disclosure of sensitive personal information under the CCPA.

Your California privacy rights

California residents, but not residents of other states, have the rights listed below under the CCPA. However, these rights are not absolute, and in certain cases we may decline your request as permitted by law.

- **Information.** You can request the following information about how we have collected and used your personal information:
 - The categories or specific pieces of personal information that we have collected about you and inferences derived from such personal information.
 - The categories of sources from which we collected personal information.
 - The business or commercial purpose for collecting, selling or sharing personal information.
 - The categories of third parties to whom we disclose personal information.
 - The categories of personal information that we sold or disclosed for a business purpose.
 - The categories of third parties to whom the personal information was sold or disclosed for a business purpose.
- **Access.** You can request a copy of the personal information that we have collected about you.
- **Deletion.** You can ask us to delete certain personal information that we have collected about you and/or from you.
- **Correction.** You can ask us to correct inaccurate personal information that we have collected about you.
- **Opt-out of sales or sharing of personal information.** California residents can opt-out of any "sale" of their personal information or "sharing" of personal information for cross-contextual behavioral advertising as such terms are defined under the CCPA. We do not sell or share personal information of contractors in the manner restricted by the CCPA and have not done so in the preceding 12 months. However, we encourage you to review our Privacy Policy ([here](#)) for information about the sale or sharing of personal information that may occur when you interact with us offline or online in the same manner that a website visitor or other non-contractor may interact with us. We have no actual knowledge of having sold or shared the personal information in the past 12 months of contractors under age 16.
- **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination as prohibited by the CCPA, including exercising such rights without retaliation.

How to exercise your California privacy rights

You may submit requests to exercise your rights to KohlerGlobalDataPrivacy@kohler.com. We cannot process your request if you do not provide us with sufficient detail to allow us to understand and respond to it. We reserve the right to confirm your California residency.

Your authorized agent may make a request on your behalf upon our verification of the agent's identity and our receipt of a copy of a valid power of attorney given to your authorized agent pursuant to California Probate Code Sections 4000-4465. If you have not provided your agent with such a power of attorney, you must provide your agent with written and signed permission to exercise your CCPA rights on your behalf, provide the information we request to verify your identity, and provide us with confirmation that you have given the authorized agent permission to submit the request.

Automated Decision-Making

We do not use automated decision-making technologies that result in legal or significant financial impacts, significant impacts on housing, education, employment, or healthcare, or similarly significant impacts as defined in the CCPA.

4. Third parties

This Notice does not address, and we are not responsible for, the practices of any third parties, which have their own rules for how they collect and use your personal information. Our links to third party websites or services are not endorsements.

5. Changes to this Notice

We reserve the right to change this Notice at any time. The "Last Updated" heading at the top of this Notice indicates when it was last revised. Any changes will become effective when we post the revised notice on <https://www.kohlercompany.com/workforce-privacy/> or any other website or other location where we make it available to you.

6. Your obligations

It is your responsibility to ensure that the information you provide to us does not violate any third party's rights.

You should keep your personal information on file with the Company up to date and inform us of any significant changes to it.

Kohler Co.
Privacy Notice
for
United States Job Candidates

CALIFORNIA RESIDENTS: CALIFORNIA LAW REQUIRES THAT WE PROVIDE YOU THIS NOTICE ABOUT THE COLLECTION AND USE OF YOUR PERSONAL INFORMATION. WE ENCOURAGE YOU TO READ IT CAREFULLY.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATIVE FORMATS, SUCH AS LARGE PRINT, BRAILLE, OR AUDIO. PLEASE CONTACT KohlerGlobalDataPrivacy@kohler.com, AND AN ALTERNATIVE FORMAT WILL BE PROVIDED TO YOU SO YOU CAN ACCESS THE INFORMATION IN THIS NOTICE.

Last Updated:

1. Introduction

This notice (“**Notice**”) describes the categories of personal information that **Kohler Co.**, and its subsidiaries and affiliates, (“**Company**”, “**we**”, “**us**” and “**our**”) collect about United States residents who apply or are recruited for a job with our Company (“**candidates**”), and how we use and disclose that information.

This Notice applies to personal information collected about you in your capacity as a job candidate. For information about our practices when you use our website or otherwise interact with us offline or online in the same manner that a website visitor or someone who is not a job candidate may interact with us, see our [Kohler Co. Privacy Notice](#).

This Notice does not create or form part of any contract for employment or otherwise.

If you have questions about this Notice, please contact KohlerGlobalDataPrivacy@kohler.com.

2. Information we collect about candidates

2.1. Categories of personal information

We may collect and process the following categories of “**personal information**” and “**sensitive personal information**” during the application and recruitment process.

For purposes of this Notice, “**personal information**” and “**sensitive personal information**” have the meanings given in the California Consumer Privacy Act of 2018 (as amended from time to time, including by the California Privacy Rights Act of 2020) (the “**CCPA**”).

- **Contact information**, such as home address, telephone number, and email address;
- **Information from job application materials or recruiters**, such as your job application, resume or CV, cover letter, writing samples, references, work history, education transcripts, whether you are subject to prior employer obligations, and information that referrers provide about you;
- **Professional qualifications**, such as licenses, permits, memberships, and certifications;
- **Information from the application process**, such as any phone-screens, interviews, evaluations, assessments, and outcomes of recruiting exercises;
- **Immigration status** and other information that would allow us to verify your employment eligibility;
- **Biographical information**, such as name, gender/gender identity, pronouns, date of birth, professional history, references, language proficiencies, education details, and information you make publicly available through job search or career networking sites;
- **Job preferences**, such as desired position and compensation, location preferences and willingness to relocate;

- **Employment history**, such as your prior employers, how long you worked with each of your prior employers, and your prior positions;
- **Background check information**, such as information necessary to complete background, credit, drug/alcohol, and/or other checks when permitted by law, and information received during these checks;
- **Information needed to understand and assess accommodation requests regarding potential disabilities or other health conditions**;
- **Medical information** if you meet with us in-person, such as your body temperature, health symptoms, vaccination status and other screening information in connection with the Company's health and safety plans and protocols, including screening required to access Company offices/facilities and other measures designed to prevent the transmission of COVID-19 or other infectious diseases; and
- **Other information you provide to us.**

Providing personal information to us is voluntary. However, if you do not provide sufficient information, we may be unable to consider your application or, if you are hired, your subsequent promotion, transfer, or relocation.

In certain cases, we may ask you for additional information for the purpose of complying with applicable laws. We may also inquire about criminal and/or credit records. We will do so only where permitted by applicable law.

2.2. *Sources of personal information*

We collect personal information from you when you apply for a job and throughout the job application or recruitment process. We may also collect your personal information from other sources and combine it with the personal information you provide us. For example, we may collect your personal information from:

- **Job board websites** you may use to apply for a job with us;
- **Prior employers** that provide us with employment references;
- **Professional references** that you authorize us to contact;
- **Pre-employment screening services**, such as background check providers (where permitted by law);
- **Employment agencies and recruiters**;
- **Your educational institutions**;
- **Your public social media profile** or other publicly available sources;
- **Other Company personnel.**

This section generally describes our practices currently and during the preceding 12 months.

3. **How we use personal information about candidates**

3.1. *Purposes for which we use personal information*

We may use the categories of personal information above for the following purposes:

- **Recruitment management.** Managing recruitment generally, such as:
 - operating the careers website we maintain [here](#) or any other site to which this Notice is posted ("**Careers Site**");
 - recruiting, interviewing, and evaluating job candidates;

- conducting background checks and other pre-employment screening (where permitted by law);
- analyzing and improving our application and recruitment processes;
- accommodating disabilities or health conditions;
- communicating with you regarding your candidacy, opportunities with the Company or about the Careers Site and any changes to applicable terms or policies; and
- other business operations.
- **Compliance, safety, and protection**, such as:
 - complying with or monitoring compliance with legal and other requirements, such as tax, audit, recordkeeping, reporting, verifying identity and eligibility to work, and equal opportunities monitoring requirements, where applicable;
 - complying with internal policies and procedures;
 - complying with lawful requests and legal process, such as to respond to subpoenas or requests from government authorities;
 - protecting our, your or others' rights, safety, and property, including by complying with applicable public health guidelines and requirements, including, without limitation, guidance from the Centers for Disease Control or other public health authorities relating to the prevention and control of COVID-19 or other infectious diseases;
 - investigating and deterring against fraudulent, harmful, unauthorized, unethical, or illegal activity, or conduct in violation of our policies or procedures;
 - controlling access to and monitoring our physical premises (e.g., by requiring health screenings to access offices/facilities);
 - pursuing legal rights and remedies, including investigating, making, and defending complaints or legal claims; administering and enforcing internal policies and procedures; and
 - providing information to government authorities, law enforcement, courts, or private parties where we have a good-faith belief it is necessary for the foregoing purposes.
- **Analytics.** Creating anonymous, aggregated, or de-identified data that we use and disclose to analyze our application and recruitment activities, business and for other lawful business purposes. We do not attempt to reidentify deidentified information derived from personal information, except for the purpose of testing whether our deidentification processes comply with applicable law.

3.2. *Disclosing personal information*

We may disclose your personal information to the following parties to facilitate one or more of the purposes described above:

- **Affiliates.** Other Affiliates within the Kohler group for purposes consistent with this Notice or to operate shared infrastructure, systems, and technology.
- **Company service providers.** Companies that provide us with services that help us manage the recruiting process and operate our business, such as job boards, recruiters, interviewing and testing, pre-employment screening, interview travel booking and expense reimbursement (where applicable), relocation (where applicable), and recruitment analytics.
- **Government authorities, law enforcement and others.** Government authorities, law enforcement, courts, and others for the purposes described in the Compliance, safety and protection section above.
- **Business transfer participants.** Parties (and their advisors) to transactions and potential transactions pursuant to which we sell or transfer some or all of our business or assets, including

your personal information, such as a corporate divestiture, merger, consolidation, acquisition, reorganization, or sale of assets, or in the event of bankruptcy or dissolution.

- **Professional advisors.** Lawyers, immigration advisors, and other outside professional advisors who require your information in the course of providing their services.
- **Other parties** not listed above but that are identified at or before the point at which we collect your personal information.

3.3. *Retention*

The criteria for deciding how long to retain personal information is generally based on whether such period is sufficient to fulfill the purposes for which we collected it as described in this Notice, including to comply with our legal records retention obligations and for the Compliance, safety, and protection purposes described above.

3.4. *Specific information for California residents*

Personal information that we collect, use, and disclose

This section supplements the above and includes additional information for California residents required by the CCPA. We may collect these categories of information from the sources and for the business purposes described in Sections 2.3 and 3.1 above. We also may disclose personal information for such purposes as described in Section 3.2 and to service providers and contractors (as those terms are defined in the CCPA).

The tables below describe our personal information practices by reference to the categories in the “Information we collect about candidates” section above and the categories described in the CCPA (Cal. Civ. Code Section 1798.140(v)) and describe our practices currently and during the 12 months preceding the effective date of this Notice.

Personal information (“PI”) we collect	CCPA statutory category
• Contact information	• Identifiers • Professional or employment-related information • Education information • California customer records (as defined in California Civil Code §1798.80)
• Information from job application materials or recruiters	• Identifiers • Professional or employment-related information • Education information • California customer records (as defined in California Civil Code §1798.80)
• Professional qualifications	• Identifiers • Professional or employment-related information • Education information • California customer records (as defined in California Civil Code §1798.80)

Personal information (“PI”) we collect	CCPA statutory category
• Information from the application process	• Identifiers • Professional or employment-related information • Education information • California customer records (as defined in California Civil Code §1798.80)
• Biographical information	• Identifiers • Professional or employment-related information • Education information • California customer records (as defined in California Civil Code §1798.80)
• Job preferences	• Identifiers • Professional or employment-related information
• Employment history	• Identifiers • Professional or employment-related information • California customer records (as defined in California Civil Code §1798.80)
• Background check information	• Identifiers • Professional or employment-related information • Education information • California customer records (as defined in California Civil Code §1798.80)
• Other information you provide to us	• Identifiers • Professional or employment-related information

Sensitive personal information (“SPI”) we collect	CCPA statutory category
• Information from the application process	• Identifiers • Professional or employment-related information • Education information • Protected classification characteristics • California customer records (as defined in California Civil Code §1798.80) • Sensitive personal information
• Immigration status	• Identifiers • Professional or employment-related information • Education information • Protected classification characteristics • California customer records (as defined in California Civil Code §1798.80) • Sensitive personal information

Sensitive personal information (“SPI”) we collect	CCPA statutory category
• Information needed to evaluate accommodation requests regarding potential disabilities or other health conditions	• Identifiers • California customer records (as defined in California Civil Code §1798.80) • Professional or employment-related information • Sensitive personal information
• Medical information	• Identifiers • California customer records (as defined in California Civil Code §1798.80) • Professional or employment-related information • Sensitive personal information
• Other information you provide to us	• Identifiers • Professional or employment-related information • Sensitive personal information

Sale/Sharing of Personal Information

We do not sell or share personal information of employees in the manner restricted by the CCPA and have not done so in the preceding 12 months.

Sensitive personal information

We do not use or disclose sensitive personal information in ways subject to California residents’ right to limit use or disclosure of sensitive personal information under the CCPA.

Your California privacy rights

California residents, but not residents of other states, have the rights listed below under the CCPA. However, these rights are not absolute, and in certain cases we may decline your request as permitted by law.

- **Information.** You can request the following information about how we have collected and used your personal information:
 - The categories or specific pieces of personal information that we have collected about you and inferences derived from such personal information.
 - The categories of sources from which we collected personal information.
 - The business or commercial purpose for collecting, selling or sharing personal information.
 - The categories of third parties to whom we disclose personal information.
 - The categories of personal information that we sold or disclosed for a business purpose.
 - The categories of third parties to whom the personal information was sold or disclosed for a business purpose.
- **Access.** You can request a copy of the personal information that we have collected about you.
- **Deletion.** You can ask us to delete certain personal information that we have collected about you and/or from you.

- **Correction.** You can ask us to correct inaccurate personal information that we have collected about you.
- **Opt-out of sales or sharing of personal information.** California residents can opt-out of any “sale” of their personal information or “sharing” of personal information for cross-contextual behavioral advertising as such terms are defined under the CCPA. We do not sell or share personal information of candidates in the manner restricted by the CCPA and have not done so in the preceding 12 months. However, we encourage you to review our Privacy Policy ([here](#)) for information about the sale or sharing of personal information that may occur when you interact with us offline or online in the same manner that a website visitor or other non-candidate may interact with us. We have no actual knowledge of having sold or shared the personal information in the past 12 months of candidates under age 16.
- **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination as prohibited by the CCPA, including exercising such rights without retaliation.

How to exercise your California privacy rights

You may submit requests to exercise your rights by email to Kohlerglobaldataprivacy@kohler.com. We cannot process your request if you do not provide us with sufficient detail to allow us to understand and respond to it. We may need to verify your identity to process your information, access, deletion, correction and appeal requests, and we reserve the right to confirm your current California residency. We may require identity verification by requiring you to log into an online account for candidates if you have one, provide information that can help us verify your identity, provide government identification, and/or provide an affidavit under penalty of perjury.

Your authorized agent may make a request on your behalf upon our verification of the agent’s identity and our receipt of a copy of a valid power of attorney given to your authorized agent pursuant to California Probate Code Sections 4000-4465. If you have not provided your agent with such a power of attorney, you must provide your agent with written and signed permission to exercise your CCPA rights on your behalf, provide the information we request to verify your identity, and provide us with confirmation that you have given the authorized agent permission to submit the request.

Automated Decision-Making

We do not use automated decision-making technologies that result in legal or significant financial impacts, significant impacts on housing, education, employment, or healthcare, or similarly significant impacts as defined in the CCPA.

4. Third parties

This Notice does not address, and we are not responsible for, the practices of any third parties, which have their own rules for how they collect and use your personal information. Our links to third party websites or services are not endorsements.

5. Changes to this Notice

We reserve the right to change this Notice at any time. The “Last Updated” heading at the top of this Notice indicates when it was last revised. Any changes will become effective when we post the revised notice on our Careers Site, on <https://www.kohlercompany.com/workforce-privacy/>, or any other website or location where we make it available to you.

6. Your obligations

Apart from your obligation to provide complete and accurate information in the recruiting process, it is your responsibility to ensure that the information you submit does not violate any third party’s rights.

You should keep your personal information on file with the Company up to date and inform us of any significant changes to it.