

JOB APPLICANT PRIVACY NOTICE

Last Updated: January 19, 2023

Fresenius Medical Care Holding, Inc. (d/b/a Fresenius Medical Care North America), its affiliates, and subsidiaries (collectively “FMCNA”, “we” or “us”) will use Personal Information consistent with this privacy notice. We value your trust and are committed to the responsible management, use, and protection of Personal Information. While creating and completing your application, we may collect or will collect information about you, your potential relationship with FMCNA, or your previous employment history. We refer to such information as “Personal Information.”

This Applicant Privacy Notice (“Notice”) describes our practices in connection with the Personal Information that may be collected either through this website or by other means in connection with your application for employment with FMCNA.

COLLECTION OF INFORMATION

Information You Provide

FMCNA may collect the following information from you in connection with your application:

- Personal identifiers, such as name, telephone number, email address, and other contact data
- Username and password to facilitate your application
- Work authorization status
- Characteristics of protected classifications under state or federal law, such as race, national origin, and disability status
- CV, resume, cover letter, previous work experience and education data, skills, and abilities
- Professional and other work-related licenses, permits, and certifications held
- Information relating to references
- Any other information you elect to provide to FMCNA (such as, but not limited to, employment preferences, willingness to relocate, current and desired salary, awards, or professional memberships)

Sensitive Personal Information may require an extra level of protection or higher duty of care based upon applicable law. Sensitive Personal Information includes special categories of information as defined by applicable law, which includes such information on biometric, medical or health conditions, genetic, racial, ethnic, sex life or practices or sexual orientation, religious, philosophical or ideological beliefs, political unions, trade union membership including views and activities, information on social security measures, and administrative or criminal proceedings and sanctions.

At times, the Personal Information you provide to FMCNA, including your educational records, may include personal information referenced in the preceding paragraph. Where that is the case, you expressly authorize FMCNA to handle the information for the purposes of processing and evaluating your job application.

Any information you submit through your application must be true, complete, and not misleading. Submitting inaccurate, incomplete, or misleading information may lead to a rejection of your application during the application process or disciplinary action including immediate termination of employment if you are an FMCNA employee. In addition, it is your responsibility to ensure that the information you submit does not violate any third party's rights. If you provide FMCNA with Personal Information of a reference or any other individual as part of your application, it is your responsibility to verify you have the right to provide that information to FMCNA.

Information from Other Sources

FMCNA may obtain information about you from your references or from a background check report in connection with your application, as permitted by applicable law. FMCNA may also collect "Other Information," which is information that generally does not reveal your specific identity or does not directly relate to an individual. To the extent Other Information reveals your specific identity or relates to an individual, we will treat Other Information as Personal Information. Depending on the circumstances, Other Information may include:

- Information obtained from joint marketing partners, public databases, providers of demographic data, publications, professional organizations, educational institutions, social media platforms, Service Providers and Third Parties that help us screen and onboard individuals for hiring purposes, and Service Providers and Third Parties when they disclose information to us
- Browser and device data
- App usage data
- Information collected through cookies, pixel tags, and other technologies
- Demographic information and other information provided by you
- Aggregated information

USE AND DISCLOSURE OF DATA

FMCNA collects and processes information about you for the following reasons:

- Because you voluntarily provide this data
- Because this information is necessary to take steps, at your request, prior to entering into employment
- Because this information is of particular importance to FMCNA and FMCNA has a specific legitimate interest under law to process it
- To comply with legal obligations
- Where necessary to protect the vital interest of any person

Where the processing concerns information you voluntarily provided to FMCNA, or the processing is based on your consent, you may withdraw your consent at any time. If you wish to withdraw your consent, please [email FMCNATalentAcquisition@fmc-na.com](mailto:FMCNATalentAcquisition@fmc-na.com).

The information that you submit through this website will be used for FMCNA's global personnel recruitment, management, and planning purposes, as permitted by applicable law, including to:

- Process your application
- Assess your capabilities and qualifications for a job
- Conduct reference checks
- Respond to your inquiries and communicate with you about your application
- Send you information regarding this website and changes to FMCNA's terms and policies
- Comply with or monitor compliance with any applicable law or regulation
- Conduct background checks, as appropriate, if FMCNA offers you a position
- Preserve FMCNA's other legitimate interests, for example, for FMCNA's administrative purposes, aggregate management reporting, internal training and as generally required to conduct business within FMCNA.

The information about you will be added to FMCNA's candidate database and may be used to consider you for opportunities at FMCNA other than the one(s) for which you apply. If you do not wish for your information to be used for consideration for other opportunities, please contact FMCNA at FMCNATalentAcquisition@fmc-na.com. If you are hired by FMCNA, Personal Information collected in connection with your application may be incorporated into FMCNA's human resources system and may be used to manage the new-hire process, and any such information may become part of your employee file and may be used for other employment-related purposes consistent with applicable law. However, if you do not provide the required information to support your application, FMCNA may be unable to consider your application.

FMCNA may share Personal Information with affiliates that are involved in evaluating candidates for a given position. FMCNA will remain responsible for Personal Information that is jointly used with affiliates. FMCNA will make the information available to personnel with a business need to know the data, as per our policies, including personnel in the recruiting, human resources, and information technology departments and in the department responsible for the position so for which you are applying. A list of the affiliates that may process your Personal Information is available upon request (please refer to the "Contact Us" section at the end of this policy).

FMCNA may share Personal Information with third-party service providers who provide services such as hosting and operating the website, recruiting assistance, background check processing, and similar services.

FMCNA also may transfer data to a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of FMCNA business, assets, or stock (including in connection with any bankruptcy or similar proceedings).

FMCNA may also use and share Personal Information as FMCNA believes to be necessary or appropriate: (a) under applicable law, including laws outside your country, state or region; (b) to comply with legal

process; (c) to respond to requests from public and government authorities including public and government authorities outside your country or region of residence and to meet national security or law enforcement requirements; (d) to enforce FMCNA terms and conditions; (e) to protect FMCNA's operations or those of any of our affiliates; (f) to protect FMCNA's rights, privacy, safety or property and/or that of our affiliates, you or others; and (g) to allow FMCNA to pursue available remedies or limit the damages that FMCNA may sustain. Disclosing your Personal Information may include transferring Personal Information to other countries.

DATA RETENTION

FMCNA will retain Personal Information for the period necessary to fulfill the purposes outlined in the Notice unless a longer retention period is required or permitted by law. FMCNA may also retain your data for the purpose of considering whether your skills are suitable for other employment opportunities. If you do not wish FMCNA to retain your Personal Information for this purpose, please [email FMCNATalentAcquisition@fmc-na.com](mailto:FMCNATalentAcquisition@fmc-na.com). FMCNA may remove Personal Information for inactive accounts from our database, subject to any applicable legal or regulatory obligations. Furthermore, FMCNA may delete Personal Information about you (including your CV/resume) from its database at any time and without providing any reason. Therefore, please retain your own copy of the Personal Information you provided to FMCNA.

PASSIVE DATA COLLECTION: COOKIES AND SIMILAR TECHNOLOGY

FMCNA and its service providers may use "cookies" and similar technologies on this website. Please see FMCNA's Privacy and Cookie Statement at <https://fmcna.com/privacy-policy/>

ACCESS AND CORRECTION

If required by applicable law and if feasible, you may access, review, and change your Personal Information stored here by re-logging onto FMCNA's job applicant website and updating your account data or you may email FMCNATalentAcquisition@fmc-na.com. The updated profile will be used as the default the next time you apply for a job using your account online. Please note that FMCNA may view any changes made to your profile. To change Personal Information that you have already submitted for consideration for a specific position, please update your profile and resubmit your application for the same position. FMCNA encourages you to promptly update your Personal Information if it changes or is inaccurate.

In addition to the information contained in your profile, where required by applicable law, you may request access, correction, restriction, deletion, and portability of the Personal Information FMCNA has about you. FMCNA will respond to your request consistent with applicable law. If you would like to make such a request, please contact FMCNA at privacy@fmc-na.com or 1-800-662-1237 ext. 1007100. FMCNA may not fulfill such request if not required by applicable law.

In your request, please make clear what Personal Information you would like to access or correct and whether you would like to have Personal Information that you have provided to FMCNA deleted from FMCNA's database subject to certain exceptions and applicable law. In addition, you request limitations on the use of your Personal Information which FMCNA will implement if feasible and required by applicable law. For your protection, FMCNA may only implement requests with respect to the data associated to the email address that you use to send FMCNA your request and FMCNA may need to verify

your identity before implementing your request. FMCNA will try to comply with such a request as soon as reasonably practicable. Please note that certain Personal Information may be exempt from such access, correction, or deletion rights pursuant to applicable data protection laws and certain legal exemptions.

SECURITY

FMCNA seeks to use reasonable organizational, technical, and administrative measures to protect Personal Information within FMCNA. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with FMCNA is no longer secure (for example, if you feel that the security of any account you might have with FMCNA has been compromised), please immediately notify FMCNA of the problem in accordance with the “Contact Us” section below.

It is your sole responsibility to use the appropriate level of care with respect to Personal Information and sensitive personal information whenever you communicate with FMCNA.

LINKS TO THIRD-PARTY WEBSITES

This website may contain links to other websites. This Notice does not address, and FMCNA is not responsible for, the privacy, data, or other practices of any third parties, including any third-party operation or any website or service to which this website links. The inclusion of a link on this website does not imply endorsement of the linked site or service by FMCNA or our affiliates. FMCNA encourages you to read the legal notices posted on those sites, including their privacy notices.

LAW APPLICABLE TO JOB APPLICATION

This website allows you to apply for jobs world-wide, as a benefit of FMCNA’s centralized global recruitment function. This website is operated from the United States. Accordingly, any Personal Information you submit to this website will be collected in the United States and will be subject to U.S. laws. However, if FMCNA shares your Personal Information with an affiliate located in another country or region in its capacity as a potential employer, the affiliate will handle your Personal Information in accordance with this Notice. Any hiring or other employment-related decisions will be made by the hiring affiliate in accordance with the laws of the country or region where the job will be located.

ABOUT CHILDREN

This website is not intended to be used by individuals under legal working age consistent with applicable law. We request that they not provide Personal Information through this website.

CURRENT PERSONNEL OF FMCNA

If you currently work for FMCNA or one of its affiliates or subsidiaries, you must be eligible to apply for a different position within FMCNA to use the Career Site. If you accept such a position, your benefits programs and Human Resources policies may change. Please consult with the HR manager for the new position concerning application eligibility, benefit programs and HR policies applicable to that position.

This website is not intended for distribution to, or use by, any person or entity in any jurisdiction or country where such distribution or use would be contrary to local law or regulation.

CHANGES TO THE NOTICE

FMCNA reserves the right to amend this Notice at any time in order to address FMCNA future developments to this website or changes in the industry or legal trends. FMCNA will post the revised Notice on this website or announce the change on the home page of this website. You can determine when the Notice was revised by referring to the “Last Updated” legend on the top of this Notice. Any changes will become effective upon the posting of the revised Notice on this website. By continuing to use this website following such changes to the Notice, you will be deemed to have agreed to such changes. If you do not agree with the terms of this Notice, in whole or part, you can choose to not continue to use this website.

Contact Us

If you have any questions about this Applicant Privacy Notice, please contact us at privacy@fmc-na.com or by phone at 1-800-662-1237 ext. 1007100.

ADDITIONAL INFORMATION

Certain uses or disclosures of personal information may be governed by other privacy policies. If you are a member of the medical staff, please refer to our Medical Staff Privacy Notice. If you are a patient, our covered entities may collect personal information about you that constitutes Protected Health Information (PHI) pursuant to the Health Insurance Portability and Accountability Act (HIPAA). Our uses and disclosures of PHI is subject to our HIPAA Notice of Privacy Practices and not this Applicant Privacy Notice. You can access our HIPAA Notice of Privacy Practices [here](#).

ACKNOWLEDGEMENT

By submitting my application, I acknowledge that I have reviewed and understand this Privacy Notice as outlined above, and I understand and accept the provisions regarding the collection, use, transfer, and disclosure of my Personal Information as described in this Privacy Notice.

SUPPLEMENT FOR CALIFORNIA APPLICANTS

If you are a California resident, this section supplements (“Supplement”) the information above regarding the collection, use, disclosure and retention of your applicant Personal Information. The California Consumer Privacy Act, as amended by the California Privacy Rights Act, and its implementing regulations (collectively, the “CCPA”), gives California residents certain rights and requires businesses to make certain disclosures regarding their collection, use, and disclosure of Personal Information. This Supplement does not apply to individuals who are residents of other U.S. states or other countries and/or who do not interact with FMCNA in an applicant-related capacity. For further details about our privacy practices pertaining to non-applicant Personal Information, please see our Privacy Notice at FMCNA [Privacy Notice](#).

DEFINITIONS

- **Personal Information:** As used in this Notice, “Personal Information” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular Consumer or household. Personal Information includes Sensitive Personal Information but does not include protected health information covered by the Health Insurance Portability and Accountability Act (“HIPAA”), nonpublic personal information under the Gramm-Leach-Bliley Act (“GLBA”), or any other information which is exempt from the CCPA.
- **Sensitive Personal Information:** As used in this Notice, “Sensitive Personal Information” includes Personal Information that reveals, among other things, social security number, driver’s license number, state identification card number, passport number, racial or ethnic origin, union membership, or the contents of a Consumer’s mail, email, and text messages, unless FMCNA is the intended recipient of the communication. Sensitive Personal Information also includes information concerning the Applicant’s health, sex life, or sexual orientation.
- **Other CCPA Definitions:** As used in this Notice, the terms “Collect,” “Processing,” “Service Provider,” “Third Party,” “Sale,” “Share,” “Consumer,” and other terms defined in the CCPA and their conjugates, have the meanings afforded to them in the CCPA, whether or not such terms are capitalized herein, unless contrary to the meaning thereof.

COLLECTION AND PROCESSING OF PERSONAL INFORMATION

We, and our Service Providers, may have Collected and Processed the following categories of Personal Information from Applicants in the preceding 12 months:

- (1) Identifiers, such as name, alias, online identifiers, account name, physical characteristics or description;
- (2) Contact information, including phone number, address, email address, and financial information, which may include medical and health insurance information;
- (3) Characteristics of protected classifications under state or federal law, such as age, gender, race, physical or mental health conditions, and marital status;
- (4) Internet or other electronic network activity information such as browsing history and interactions with websites and advertisements;
- (5) Audio, electronic, visual and similar information, such as call and video recordings;
- (6) Professional or employment-related information, such as work history and prior employer;
- (7) Education information, as defined in the federal Family Educational Rights and Privacy Act, such as student records and directory information.

Some of this information may be considered Sensitive Personal Information under California law including your government-issued IDs, racial or ethnic origin, or sexual orientation.

CATEGORIES OF APPLICANT PERSONAL INFORMATION WE DISCLOSE TO SERVICE PROVIDERS AND THIRD PARTIES

All categories of personal information collected as listed above are disclosed to Service Providers and Third Parties.

PURPOSES FOR PROCESSING APPLICANT PERSONAL INFORMATION

We use your Personal Information for the following business purposes to:

- Evaluate your capabilities and qualifications for employment;
- Perform background checks, conduct pre-hiring assessments and verify past employment, educational history, professional standing, and other qualifications;
- Evaluate, determine, and arrange compensation;
- Schedule travel and pay for or reimburse covered business expenses related to the job application and interviews;
- Administer student intern programs;
- For Security Purposes such as providing IT support and to check for unauthorized use of those IT systems and to comply with record keeping and other legal obligations.

In addition to the purposes identified above, FMCNA may use and disclose any and all Applicant Personal Information that we Collect as necessary or appropriate to:

- Comply with applicable laws and regulations, including, without limitation, health and safety, anti-discrimination, immigration, labor and employment, and social welfare laws;
- Monitor, investigate, and enforce compliance with and legal and regulatory requirements;
- Comply with civil, criminal, judicial, or regulatory inquiries, investigations, subpoenas, or summons; and
- Exercise or defend the legal rights of FMCNA and its employees, affiliates, customers, contractors, and agents.

CATEGORIES OF ENTITIES TO WHOM WE DISCLOSE APPLICANT PERSONAL INFORMATION

We do not disclose your Personal Information to third parties for commercial purposes. We do not “Sell” your Personal Information, and we do not “Share” information with third parties for cross-context behavioral advertising (including the personal information of individuals under 16 years old).

- **Affiliates & Service Providers.** We may disclose Applicant Personal Information to our affiliates and Service Providers for the purposes described in this notice. Our Service Providers provide us with Applicant selection and related hiring services, website services, and other products and services, such as web hosting, customer service, technology services, and other similar services. We grant our Service Providers access to Personal Information only to the extent needed for them to perform their functions and require them to protect the confidentiality and security of such information.

INDIVIDUAL RIGHTS

Data Subject Rights Available to You

- **Right to Deletion:** You may request that we delete any Personal Information about you that we collected from you subject to certain exceptions;
- **Right to Correction:** You may request that we correct any inaccurate Personal Information we maintain about you subject to certain exceptions;
- **Right to Know:** You may request that we provide you with the following information about how we have handled your Personal Information in the 12 months preceding your request:
 - the categories of Personal Information we collected about you;
 - the categories of sources from which we collected such Personal Information;
 - the business or commercial purpose for collecting, selling, or sharing Personal Information about you;
 - the categories of third-parties with whom we disclosed such Personal Information; and
 - the specific pieces of Personal Information we have collected about you.
- **Right to Receive Information About Onward Disclosures:** You may request that we disclose to you:
 - the categories of Personal Information that we have collected about you;
 - the categories of Personal Information that we have “Sold” or “Shared” about you and the categories of third- parties to whom the Personal Information was “Sold” or “Shared;” and
 - the categories of Personal Information we have disclosed about you for a business purpose and the categories of persons to whom it was disclosed for a business purpose.
- **Right to Non-Discrimination:** You have the right not to be discriminated against for exercising your data subject rights. For example, we will not make hiring decisions based upon whether you exercise your data subject rights.

You can call us at **1-800-662-1237 ext. 1007100**, complete the request form [online](#), or email us at privacy@fmc-na.com to request to exercise the rights above. When you make a request to access or delete your information, we must first verify your identity before processing your request. We will ask for your name, e-mail address, and/or phone number to match against any information in our systems.

You can submit requests through an agent that you have authorized in writing to act on your behalf. Your agent will need your written and signed permission that they are authorized to act on your behalf. As explained above, your agent will also need to provide information verifying your and their identity. We will still need to contact you directly to verify your identity and the request, or if any other information may be needed. Please be aware that certain exceptions apply to the exercise of these rights and so you will not be able to exercise them in all situations.

SECURING AND RETAINING PERSONAL INFORMATION

FMCNA will take steps to use reasonable organizational, technical, and administrative measures to protect your personal information against loss or theft, as well as from unauthorized access, disclosure, copying, use or modification, regardless of the format in which it is held and will use appropriate security safeguards to provide necessary protection.

FMCNA will retain Personal Information for the period necessary to fulfill the purposes outlined in this notice unless a longer retention period is required or permitted by law. Our retention periods are based

on business needs and relevant laws. Records that are no longer needed are either irreversibly anonymized (and the anonymized information may be retained) or securely destroyed.

OTHER DISCLOSURES

- **California Residents Under Age 18.** If you are a resident of California under the age of 18 and a registered user of our website, you may ask us to remove content or information that you have posted to the website by writing to privacy@fmc-na.com. Please note that your request does not ensure complete or comprehensive removal of the content or data, as, for example, some of your content or information may have been reposted by another user.

Questions

For any questions about this Job Applicant Notice, please contact our Privacy Officer at privacy@fmc-na.com