

# EU Recruiting Data Privacy Notice

## Who We Are

Chemonics International Inc.'s registered office is at 1717 H St. NW, Washington, D.C. 20006.

This notice applies to personal data provided to us, both by individuals themselves or by others. Our policy is to be transparent about why and how we process personal data. To find out more about processing activities, please go to the relevant sections of this notice.

**Chemonics International Inc.**, (“**Chemonics**”, “**we**” or “**us**” or “**our**”) recognize the importance of protecting personal information and data. This policy outlines how and why we collect, process, and handle personal information. This policy also informs individuals (“you”, “your”, or “their”) about their rights regarding this data.

Chemonics utilizes the definition in the European Union’s (EU) General Data Protection Regulations (GDPR) of personal data for the purposes of this notice. In brief, Chemonics considers personal data to be information in any format that relates to a living individual who can be identified by that information, either on its own or when it is combined with other information held by us.

## Purpose of This Notice

The purpose of this Data Privacy Notice is to inform you how Chemonics International Inc. collects, uses and shares your personal data; and your rights in relation to the personal data we hold. This privacy notice concerns our processing of personal data of job applicants for recruitment purposes.

This notice applies to any individual job seekers, current or former employees (temporary, contingent, short-term and long-term employees), sub-contractors, customers, suppliers and clients or independent contractors) who are physically present and residing in the European Union (EU). Nothing in this Notice creates a relationship of employment between Chemonics and interested applicants for a position.

## Collection of Personal Information

We will process Personal Data where the information is reasonably necessary to carry out its everyday business functions, recruitment activities, provide the products and services defined by our business type.

We primarily collect and process personal data under the ‘legitimate interests’ legal basis. The types of Personal Data we may collect include but are not limited to:

- Name and gender;
- Date of birth;
- Personal contact details (e.g. telephone number, email address, physical address);
- Work authorization;
- Previous earning history (Biographical Data Sheets- biodatas)

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- ✓ Occupation, references and previous employment history, education history;
  - ✓ Information provided through other public media forums (e.g. LinkedIn, Devex, etc.);
  - ✓ Previous and current employment history (CV and other attachments);
  - ✓ Your contractual and performance history with Chemonics;
  - ✓ Names of References (with contact information and permission to contact); and
  - ✓ Details of any disabilities and any accommodations that you have disclosed.

Chemonics collects Personal Data in a lawful and fair manner. We collect this information in a variety of ways, including, but not limited to:

- ✓ Applications or responses submitted by you to employment advertisements;
- ✓ Enquiries made by you through our websites and comments you make through our websites or social media accounts;
- ✓ When you follow our social media accounts and register or subscribe to our mailing list;
- ✓ Through government agencies or third-party reporting services as legally required;
- ✓ Applications by you to attend events such as conferences, meetings, and trainings;
- ✓ Applications to participate in a conference, trainings session or other event; and
- ✓ Through direct communication between you and Chemonics personnel, such as email, mail, by telephone, and direct meetings.

## **Sensitive Information**

Chemonics will only collect sensitive information (as defined in Article 9 of the GDPR) in circumstances where it is reasonably necessary for one or more of the services that we provide or functions that we carry out, and the relevant individual consents to the collection of the information, or we are otherwise required or authorized by or under law or a court/tribunal order to collect the sensitive information, or a permitted health situation exists that allows Chemonics to collect such sensitive information.

We will take reasonable steps to ensure that the Personal Data we collect is accurate, up to date and complete. All sensitive information collected by us will be dealt with strictly in accordance with the requirements of the relevant Act.

## **Use and Disclosure of Personal Information**

The way we use or disclose your Personal Data will depend on the reason(s) why we have received your personal information. The basis for the way we will use or disclose your Personal Data will be disclosed at the time of collection or later during processing.

### **Use:**

We collect your Personal Data for the following purposes:

- ✓ Providing you services, employing you, or receiving services from you;

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- ✓ Assessing your suitability for potential employment or contractual engagement;
  - ✓ Responding to enquiries;
  - ✓ Receiving services from you;
  - ✓ Submission of documents to our clients including expressions of interest, capability statements and tenders; and
  - ✓ Compliance with relevant laws, court/tribunal orders, enforcement related activities or other legal requirements.

### **Disclosure:**

We may disclose Personal Data that we collect from you for the purpose(s) that it was collected. In some instances, we may disclose personal information for other purposes where we have received your consent or are required to do so by the relevant law.

Examples of where we may disclose your information include, but are not limited to:

- ✓ Employees within Chemonics, including external service providers and contractors (e.g. payroll, IT, suppliers, travel, health/life insurance, retirement accounts, benefits companies);
- ✓ Clients, potential clients, insurers, lawyers, auditors, accountants, professionals and others where we have a commercial relationship and business interest in place; and
- ✓ Law enforcement, government, or other regulatory agencies (including tax authorities, social security entities) as provided for by law.

We will take reasonable steps to ensure that the Personal Information we use or disclose is accurate, up to date, complete and relevant to the purpose of the use or disclosure.

Chemonics includes contractual language with third-parties regarding data protection, confidentiality, and security guidelines. If your personal data is subject to the EU's GDPR, Chemonics ensures that the transfers will be under an agreement which covers the EU requirements for the transfer of personal data outside the EU, such as the European Commission approved standard contractual clauses.

Our service providers are obliged to keep your details securely and use them only to fulfil the service they provide you on our behalf. Once your service need has been satisfied, or the matter has been closed, they will dispose of the details in line with our procedures.

### **Your Rights Regarding Your Personal Data**

The EU's GDPR details an individual's rights regarding their personal data. Chemonics respects and supports these rights and applies them to personal data held generally. These rights include:

- ✓ **Right to access** – Subject to certain conditions, you are entitled to have access to your personal data. You may contact Chemonics to request a copy of your personal data held by us. From time to time, we may also ask you to review and update the HR Personal Data we hold about you.
- ✓ **Right to data portability** – Subject to certain conditions, you are entitled to receive the personal data which you have provided to us and which is processed by us by automated means, in a structured, commonly-used machine readable format.

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- ✓ **Right to correction** – You may challenge the accuracy or completeness of your personal data and have it corrected or completed, as applicable. You have a responsibility to help us to keep your personal information accurate and up to date. You may review or make certain corrections to your electronic HR Personal Data through the online tools that Chemonics provides or through submitting Subject Access Request (SAR) Form that can be accessed online.
  - ✓ **Right to object to or restrict processing** – Subject to certain conditions, you have the right to object to or ask us to restrict the processing of your personal data.
  - ✓ **Right of erasure** – Subject to certain conditions, you are entitled to have your personal data erased (e.g. where your personal data is no longer needed for the purposes it was collected for, or where the relevant processing is unlawful).
  - ✓ **Right to withdraw consent** – As stated above, where our processing of your personal data is based on your consent you have the right to withdraw your consent at any time. If you withdraw your consent, this will only take effect for future processing and is subject to certain conditions based on Chemonics's legal obligations. Requests will be forwarded on should there be a third party involved in the processing of your personal data.
  - ✓ **Right to object to automated processing, including profiling** – You also have the right not to be subject to the legal effects of automated processing or profiling.
  - ✓ **Right to judicial review** – In the event that Chemonics refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined in line with Subject Access Request Procedure and Subject Access Request Form

To act on any of the above rights, Chemonics may need to request additional information regarding the specifics of the request as well as confirm your identity. We will respond to these requests in accordance with regulatory requirements once we confirm the validity of the request. Requests regarding these rights, with any questions about this notice or with any concerns about possible violations of this Notice should be submitted to Chemonics through [GDPRcontact@chemonics.com](mailto:GDPRcontact@chemonics.com).

## Transfers Outside the EU

Personal data in the European Union is protected by the General Data Protection Regulation (GDPR) but some other countries may not necessarily have the same high standard of protection for your personal data.

Chemonics is a global company and we may disclose your Personal Data to our affiliates, divisions, business units, subsidiaries, suppliers and services providers.

Some of this HR Personal Data is stored in the United States or other countries which do not or may not impose or maintain adequate data protection standards or requirements similar or equivalent to those applicable in European Union (EU). Chemonics has implemented appropriate safeguards to ensure the necessary level of data protection for any overseas transfers as well as enforceable data subject rights and effective legal remedies for data subjects by entering into a global intragroup data transfer agreement.

Where we transfer personal data for the above reasons, we utilize appropriate safeguarding measures and mechanisms to ensure the necessary level of data protection for any overseas transfers by entering into a global intragroup data transfer agreement using the standard contractual clauses which are subject to an adequacy finding.

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## Privacy Shield

For transfers of personal data to the United States, Chemonics participates in Privacy Shield.

Chemonics complies with the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks set forth by the United States Department of Commerce with respect to the collection, use and retention of Personal Data transferred from the EU, United Kingdom, and Switzerland to the United States. This notice specifies Chemonics' commitment to Privacy Shield Principles and organizational practices for implementing them. If there is any conflict between the terms herein and the Privacy Shield Principles, the Privacy Shield Principles shall govern. Chemonics' Privacy Shield Certification may be found [here](#). To learn more about the Privacy Shield Framework, please visit the Department of Commerce's dedicated website located at <https://www.privacyshield.gov/>. Chemonics is subject to the regulatory authority of the Federal Trade Commission ("FTC"). The FTC may be reached via the following contact information:

Federal Trade Commission  
Attn: Consumer Response Center  
600 Pennsylvania Avenue NW  
Washington, DC 20580  
Email: [Consumerline@ftc.gov](mailto:Consumerline@ftc.gov)  
[www.ftc.gov](http://www.ftc.gov)

In certain situations, Chemonics may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

Where we rely on consent for the fair and lawful processing of personal data, the opportunity to consent will be provided when the personal data in question is collected. Your consent may be given through an authorized representative such as a legal guardian, agent, or holder of a power of attorney.

Subject to certain legal or contractual restrictions and reasonable notice, consent may be withdrawn at any time. We will inform you of the consequences of withdrawing consent. In some cases, refusing to provide certain personal data or withdrawing consent for us to collect, use, or disclose your personal data could mean that we cannot provide requested services or information for you.

If you wish to withdraw consent, please refer to the "Contact Information" section.

However, there are instances in which we do not require your consent to engage in the processing or disclosure of personal data. We may not solicit your consent for the processing or transfer of personal data for purposes with a statutory basis, such as if:

- The transfer or processing is necessary for the performance of a contract between you and Chemonics (or one of its affiliates);
- The transfer or processing is necessary for the performance of a contract, concluded in your interest, between us (or one of our affiliates) and a third party;
- The transfer or processing is necessary, or legally required, on important public interest grounds, for the establishment, exercise, or defense of legal claims, or to protect your vital interests; or
- The transfer or processing is required by applicable law.

Chemonics complies with the Privacy Shield Principle for liability for onward transfers.

Chemonics has further committed to cooperate with the panels established by the EU data protection authorities and Swiss Federal Data Protection and Information Commissioner and comply with the advice given by the panels regarding human resources data transferred from the EU and Switzerland in the context of the employment relationship.

If you are not an employee of Chemonics, in the event that the complaint cannot be fully resolved through the Department of Commerce, binding arbitration may be invoked as a final resort. Binding arbitration may only be used to ensure that we follow the data handling practices of this Notice. No other form of remedy is available by any arbitration under this section. In order to invoke this arbitration option, the following steps must be taken prior to initiating an arbitration claim: (1) raise the claimed violation directly with Chemonics, affording us an opportunity to respond to the issue within 45 days; (2) make use of the independent recourse mechanism, in this case JAMS, at no cost to you; and (3) raise the issue through the Data Protection Authority to the Department of Commerce and afford the Department of Commerce an opportunity to use best efforts to resolve the issue again, at no cost to you.

Arbitration may not be invoked if the same claimed violation (1) has previously been subject to binding arbitration; (2) was the subject of a final judgment entered in a court action to which you were a party; or (3) was previously settled by D3 and you. Additionally, this option may not be invoked where the Data Protection Authority of the country of your residence already has jurisdiction to resolve the complaint.

Note, an "Arbitration Notice" must be delivered to the organization, containing a summary of steps taken to resolve the claim, a description of the alleged violation and, at (discretionally on the part of the initiating party) supporting documents and materials and a discussion of law relating to, and supporting the claim. For more information on how to invoke arbitration under the Privacy Shield framework, please visit <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>.

## Storage of Personal Information

We will store your personal data in both physical and electronic forms. We will take reasonable steps to ensure that all Personal data collected from you is stored in a secure environment accessible only by our authorized personnel.

It is our intent to not keep Personal data for longer than reasonably required. The duration depends on the nature of the personal data and the purposes for which it was received. Chemonics business entities maintain a data retention policy informed by:

Legal or regulatory requirements of the location of the data processing;

- The completion of a contract or employment engagement with you or work you supported with our clients;
- If your personal data is held for reasons other than legal requirement or contractual engagement (e.g. newsletter, recruitment database), we will maintain that data until you request its removal or correction.

Chemonics will retain your HR Personal Data for as long as necessary, both during and following the period of your employment, for the purposes for which it was collected, or for as long as is permitted by applicable law. Chemonics will retain and delete HR Personal Data when it is no longer needed, according to the local law requirements and, in compliance with our Records Control Procedure.

## Breaches of Personal Data

Chemonics applies best business practices and secure systems to protect Personal Data. If a data breach that included Personal Data were to occur, Chemonics will respond to the breach as required by the relevant regulations. If you are aware of a breach of personal data that involves Chemonics, please contact us at [GDPRcontact@chemonics.com](mailto:GDPRcontact@chemonics.com) immediately.

## Contact

If you have any questions or would like to exercise your rights associated with this notice contact Chemonics' data protection team at [GDPRcontact@chemonics.com](mailto:GDPRcontact@chemonics.com).