

## Magnit Privacy Notice and Terms of Use Direct Sourcing

(Updated March 1, 2023)

Direct Sourcing is an integrated platform that helps employers identify the best candidates for positions quickly and easily, and helps candidates find a position that is the best fit for their skills and experience. If you upload your resume or other information to Direct Sourcing, or otherwise use Direct Sourcing, you are specifically agreeing to the Terms of Use and consenting to the use of any personal information you have provided to Magnit as set forth below.

### Direct Sourcing - Terms of Use

When you upload your resume or other information into DirectSource, it creates a profile for you within the system. We may also collect personal data about you from third parties or public sources including any public social media account you may have and may use this information to augment your profile. DirectSource's AI-powered platform will match your profile, based on the job qualifications and required skillsets, to open job requests that have been put into the system by Magnit's client. Magnit, or Magnit's client, will use a human curator to review, analyze, and approve the results of job matches, and your profile may then be made available to the client manager(s) who originated the request. You may be contacted regarding a job opportunity by a client manager to explore your interest in being a possible candidate for the position / project. Some positions may be to work as employee of Magnit on assignment at the client while other positions may be to work as a regular, direct employee of the client or one of its affiliates.

You may not post any document that contains: (1) any copyrighted material (unless you own the copyright or have secured the permission of the copyright owner) or trade secrets, or in any way violates the intellectual property rights or any other rights of any third parties; (2) anything that is discriminatory, sexually explicit, obscene, libelous, defamatory, threatening, harassing, abusive, hateful, embarrassing or offensive; or (3) does not meet file type and size requirements.

You agree that you will not transmit or upload any harmful code while using Direct Sourcing, including but not limited to any software that is designed to damage, disrupt, disable, impair, interfere with, intercept, expropriate or otherwise impede in any manner any data, storage media, program, system, equipment or communication (sometimes referred to as "viruses," "worms," "Trojan horses," "time bombs," "time locks," "drop dead devices," "traps," "access codes," "cancelbots" or "trap door devices").

You may not use this service to: (1) impersonate another person; or (2) post false, inaccurate or misleading information, opinions, solicitations or notices (commercial or otherwise). Your login credentials are for your personal use only and may not be shared with any other person.

Participation in Direct Sourcing does not in any way guarantee that you will receive any interviews or that you will be selected for any job.

Magnit may terminate, suspend, update, alter or supplement, at its sole discretion, your access to Direct Sourcing. By permitting access to Direct Sourcing, Magnit does not convey any interest in or to Direct

Sourcing or any other Magnit property or services. All right, title and interest in Direct Sourcing is and shall remain in Magnit.

### Direct Sourcing - Privacy Notice

#### Privacy Policy

Magnit adheres to the following:

- We collect, retain and use personal data for our professional business purposes only. We limit the personal data we collect to that which we believe is appropriate and necessary to manage user needs, provide our services, and comply with applicable laws.
- We strive to maintain the accuracy of personal data.
- Our employees are required to protect personal data in our systems. We have internal policies and programs designed to protect personal data.
- We limit the internal and external disclosure of personal data.
- We do not share personal data with any third parties, except as set forth below.

#### Categories of Information Collected and Processed

Through Direct Sourcing, Magnit collects personal data of candidates both directly from candidates and from third parties and public sources. Categories of data collected during the application and interviewing process and upon successful hire and placement (along with non-exhaustive examples of specific data elements) may include the following:

**Names and contact data** may include your first and last names, personal and/or professional email addresses, physical addresses, phone numbers, photo, and emergency contact information.

**Demographic data** may include your date of birth, gender, and at times may include more sensitive personal data including race, ethnicity, military veteran status, disabilities, union affiliation, and parental status. We may use this information for a variety of purposes, which vary by jurisdiction. These reasons may include:

- Where necessary to comply with our legal obligations. For example, we may collect and process this information in order to comply with anti-discrimination laws and government reporting requirements;
- To monitor and ensure diversity and equality of treatment and opportunity; and
- To provide accommodations during the application and hire process.

Where the collection and processing of this data is not required by law, the provision of this data is completely voluntary, and you can decide whether to provide it or not.

**National identifiers** such as your national identification, passport information, citizenship, residency, work permit, social security number, or other government identification number.

**Employment Information** such as the positions you have applied to, job titles, work location, offer letter, employment contract, hire date, date of termination, job performance, disciplinary records, leave of absences, sick time, vacation and holiday schedule.

**Family Information** such as the names of your spouse, any dependents, dates of birth and contact information for the family members.

**Financial Information** if you are employed as a contingent worker by Magnit, such as bank account information, tax details, compensation, retirement account information, and other data required for payroll, benefits, and tax administration.

In order to engage with you about work opportunities with Magnit and our client, we may also collect personal data about you from third parties or public sources. We may, for example, collect information from public social media sources while completing your profile (such as your public LinkedIn profile). We may also perform background screening for information about your past schooling, jobs, credit, and/or criminal records, to the extent allowed by law, either directly or through a third-party vendor.

### The Reasons We Process Your Personal Data

We collect your personal data for the following purposes:

- As reasonably necessary to serve the legitimate interests of Magnit and its client.
  - For example, Magnit and its client have a legitimate interest in locating qualified individuals for possible employment, communicating with them, evaluating and hiring them, and retaining them in their jobs and/or assignments. There is also a mutual interest for job seekers to engage with Magnit and its client to find new job opportunities that may interest them or present a better fit for their professional skills.
  - We may also collect and use your personal data when necessary for other legitimate interests, such as general HR administration, company directories, general business management and operations, disclosures for auditing and reporting purposes, internal investigations, management of network and information systems security and business operations, provision and improvement of employee services, physical security and to protect the life and safety of employees and others.
- If you are selected for employment, as necessary for the creation and performance of an employment contract or working relationship between you and Magnit or its client.
- We may use your personal data to comply with the law, including collecting and revealing personal data as required (e.g., for minimum wage, hours worked, tax, health and safety, anti-discrimination laws, and global mobility), to respond to judicial authorities, or to exercise or protect Magnit's and/or its client's legal rights.
- Other uses of your data, as permitted by law and subject to consultation requirements. This may involve both human and computer analysis of such data in order to train AI models and enhance machine learning for Magnit products and services.

Failure to provide your personal data when requested may prevent us from being able to carry out these tasks and/or comply with our legal obligations.

We will only use your personal data for the purposes for which it was collected, unless we reasonably consider that we need it for another purpose that is compatible with the original purpose and there is a legal basis for further processing.

Magnit does not:

- Sell your personal data to any third parties.
- Collect or process personal data of persons who are less than 16 years old.

### How We Share Personal Data

For the purposes described in this Notice, Magnit may disclose the personal data:

- To any of our related Magnit companies (including Magnit and its subsidiaries, and RightSourcing, Inc.);
- To third parties who provide Magnit with legal and accounting advice, or who provide or administer our insurance, retirement funds, and employee benefits;
- To third party contractors who perform services on our behalf, such as reviewing and developing our business systems, procedures and infrastructure (including testing or upgrading our computer systems);
- To any Magnit client to whom you may apply, or for whom you may provide services;
- To government agencies or individuals appointed by a government responsible for the investigation and resolution of disputes or complaints;
- To comply with our legal obligations, regulations or contracts, or to respond to a court order, administrative or judicial process, such as subpoena, government audit or search warrant;
- As required to create, exercise, or defend against future, threatened, or actual legal action (such as with adverse parties and the court in litigation);
- Wherever it is important to protect Magnit, its client, your vital interests (such as safety and security), or the interests of another individual;
- In connection with the sale, assignment or other transition of all or part of our business such as to a potential purchaser and its legal/professional advisors);
- Otherwise in accordance with your consent; or
- As otherwise required or authorized by law.

### Security of Your Personal Data

Magnit is committed to keeping your personal information secure. To help protect your personal data from unauthorized access, use, or disclosure, we employ a range of security technologies and procedures. For example, we store your personal information on computer servers with restricted access that are housed in secure facilities, and we encrypt some highly confidential or sensitive personal information when we send it.

### Where We Store and Process Data

Your personal data is initially collected, processed and stored in Direct Sourcing. If you are selected for further consideration by our client, your personal data may be transferred into our Magnit Vendor

Management System (“Magnit VMS”) or a third-party vendor management system if our client does not use Magnit VMS. There, your data will be used to create a profile in the VMS that can be accessed by Magnit and the client as part of the interview and hiring process. If you are offered a position and accept it, your personal data will be stored and processed as part of your employment records.

Magnit and its clients work on a global scale, so personal data may be transmitted to countries other than those where it was obtained. Since we are based in the United States, we regularly move information gathered in other countries to the United States for processing. We will ensure that the transfer of your personal data to another country complies with all relevant laws and regulations.

#### **For Residents of the European Union, United Kingdom, European Economic Area and Switzerland**

With respect to the personal data of individuals in the European Union, European Economic Area and Switzerland, please see **Appendix A** below.

#### **For Residents of California**

With respect to the personal data of California residents, please see **Appendix B** below.

#### **For Residents of New York City**

With respect to the personal data of California residents, please see **Appendix C** below.

#### **Our Retention of Personal Data**

Personal data will be stored according to the applicable laws or regulatory requirements and kept as long as is necessary to fulfill the purposes for which it was collected. Generally, this means that your personal data will be retained as documented in our corporate data retention schedule, contracts, and applicable supplemental documents.

#### **Updates and Changes to this Privacy Notice**

We will update this document if our privacy policies change so that you are aware of what information we gather, how it is used, and under what conditions it may be revealed. Magnit reserves the right to alter, amend, or adjust this Notice at any time and without notice. This Notice is effective as of the date that appears at the top of this document. In the event of any questions about our privacy policies or related matters, please contact us at [privacy@magnitglobal.com](mailto:privacy@magnitglobal.com).

## **Appendix A: For Residents of the European Union, United Kingdom, European Economic Area and Switzerland**

With respect to the personal data of individuals in the European Union/European Economic Area United Kingdom, and Switzerland, Magnit has contracts with Standard Contractual Clauses in place with clients, staffing suppliers and others that serve as the mechanism for the lawful transfer of personal data from those regions to other countries such as the United States.

### Recourse, Enforcement and Liability

- a. Our EU representative may be contacted at [privacy@magnitglobal.com](mailto:privacy@magnitglobal.com) or:  
  
Magnit  
Marconibaan 1a,  
3439 MR, Nieuwegein,  
The Netherlands
- b. Magnit has committed to cooperating with EU and UK data protection authorities (“DPAs”) with regard to complaints concerning personal data. If a data subject does not receive timely acknowledgment from us of their complaint, or if we have not addressed the complaint to their satisfaction, they can contact the EU or UK DPAs (as applicable) for more information or to file a complaint. The services of the EU and UK DPAs are provided at no cost to data subjects. A list of the national data protection authorities can be found here:  
[http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm)
- c. Magnit is committed to cooperating with the Swiss Federal Data Protection and Information Commissioner. When covering non-HR data received from Switzerland, Magnit is committed to cooperating with and complying with the advice of the Commissioner.
- d. Magnit is committed to cooperating with the EU and UK DPAs and the Swiss Federal Data Protection and Information Commissioner (FDPIC) and complying with the advice given by such authorities with regard to human resources data transferred from the EU, UK and/or Switzerland in the context of the employment relationship.

### Your Data Subject Rights

EU and UK candidates, contingent workers, and employees (including individuals working in the EU and UK, or in some circumstances individuals who normally reside in the EU or UK who are working abroad) may have certain rights under applicable data protection laws, including the EU General Data Protection Regulation and local legal implementation of that Regulation. This includes the rights to:

- Make a request for access to and a copy of your personal information.;
- Request the rectification (or correction) of any incorrect personal data;
- Request the erasure (or deletion) of personal data that is no longer needed to serve the purposes for which it was obtained, or that Magnit or its client does not need to keep for other legitimate purposes.
- Restrict your personal data being processed;

- Object to your personal data being processed; and
- Request that your personal data be ported (transferred) to another organization.

These rights can be applied differently depending on the type of data involved and Magnit's specific legal justification for processing personal data.

Please contact [privacy@magnitglobal.com](mailto:privacy@magnitglobal.com) if you want to exercise one of the above rights. Any requests will be considered and responded to in compliance with relevant data privacy laws. Please be aware that we may ask you for detailed details in order to verify your identity and right of access, as well as to search for and provide you with the personal data we have about you. We may charge you a fair fee to access your personal data in limited circumstances; however, we will notify you of any fees in advance.

You have the right to revoke your consent at any time if we are depending on your consent to process your personal data. Please notice, however, that the lawfulness of the processing prior to the revocation of your consent will not be affected.

EU and UK applicants, contingent workers, and employees (including those working in the EU and UK, as well as those who usually reside in the EU or UK but are working abroad) can also contact the Data Protection Officer at the following address with questions about how we handle personal data:

Magnit  
Marconibaan 1a,  
3439 MR, Nieuwegein,  
The Netherlands  
Email: [privacy@magnitglobal.com](mailto:privacy@magnitglobal.com)

## **Appendix B: For California Residents**

The main body of this Privacy Notice provides information to California residents whose personal information is processed pursuant to the California Consumer Privacy Act of 2018 ("CCPA") and California Privacy Rights Act ("CPRA"). (For purposes of this Privacy Notice, the term "personal data" has the same meaning as the term "personal information" is defined in the CCPA.) This Privacy Notice:

- Describes the categories of personal information Magnit collects from you (see "Categories of Information Collected and Processed"; and
- Describes the purposes for which that information is collected (see "Why We Process Personal Data" and "How and Why We Share Personal Data" above).

The sources of information from whom we collect personal data are noted under *Personal Data*, above.

### Your Data Subject Rights

- Make a request for access to and a copy of your personal information.;
- Request the rectification (or correction) of any incorrect personal data;

- Request the erasure (or deletion) of personal data that is no longer needed to serve the purposes for which it was obtained, or that Magnit or its client does not need to keep for other legitimate purposes.

If you have questions about your personal information or our CCPA compliance program, please contact us:

Magnit  
2365 Iron Point Road, Ste. 270  
Folsom, CA 95630  
United States  
Email: [privacy@magnitglobal.com](mailto:privacy@magnitglobal.com)

### **Appendix C: [For New York City Residents](#)**

By submitting your application to opportunities through DirectSource, you acknowledge that your application may be subject to the use of an automated employment decision tool (AEDT), as AEDTs are defined in NYC Local Law 114 of 2021. DirectSource's AI-powered platform will match your profile, based on the job qualifications and required skillsets, to open job requests that have been put into the system by Magnit's client. You may request an alternative selection process or accommodation by reaching out to [privacy@magnitglobal.com](mailto:privacy@magnitglobal.com). For information relating to the type, source, and retention policy relating to the data collected, please see the following sections above: [Categories of Information Collected and Processed](#) and [Our Retention of Personal Data](#).