

# Flynn Restaurant Group Employee and Job Applicant Privacy Notice

Flynn Restaurant Group (“FRG”), and its U.S. subsidiaries, Apple American Group (“AAG”), Bell American Group (“BAG”), Pan American Group (“PAG”) and RB American Group (“RBA”), (collectively, “Flynn” or “we”) are committed to protecting the privacy and security of your personal information. This Privacy Notice describes how we collect and use personal information about you during and after your employment or employment-seeking engagements or interactions with us (collectively, your “employment”). It applies to all current and former employees, workers, and contractors (collectively “employees”), as well as current and former job seekers and/or applicants (collectively “applicants”).

This Privacy Notice does not form part of any contract of employment or other contract to provide services. Further, use of the collective terms “employment” or “employee” throughout this Privacy Notice is for simplicity only and is not intended to imply the existence of an employment relationship where there is none.

It is important that you read and retain this Privacy Notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights may be.

## Information We Collect About You

Personal information means any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with an individual. It does not include data that cannot be associated with you (“deidentified information”).

We may collect, store, and/or use the following categories of personal information about you:

- **Personal Identifiers.**
  - Personal contact details such as name, title, addresses, telephone numbers and email addresses.
  - Bank account details and tax status information that you provide to us.
  - Payroll records.
  - Driver’s License number, Passport number, nationality/visa status, or related information to verify your employment eligibility and to provide travel arrangements for you.
  - Social Security number for tax purposes.
- **Protected Classifications:**
  - Your date of birth and gender in order to verify your identity.

- Your marital status and dependents for tax and benefits administration purposes.
  - Information about your race, ethnicity, disability, veteran's status, or sexual orientation if you choose to provide it during the application or onboarding process. We use this information only to support our efforts to attract and maintain a diverse workforce, including for reporting required by federal law.
  - Information about your health, such as medical conditions and health and sickness records, when you provide this information to us. This includes details of any absences (other than holidays) from work, including time on statutory parental leave and sick leave; information related to biological screenings or testing for controlled substances; records related to administering and maintaining your healthcare and other benefits; and information about a condition needed for pensions and permanent health insurance purposes when you leave employment and the reason for leaving is related to your health.
  - Background checks (for managers only).
- **Biometric Information:** We may collect biometric information about you for purposes of verifying your identity when checking in to or out of work. During the COVID-19 pandemic, we may collect biometric information about you to maintain a safe work environment.
  - **Internet or Other Electronic Network Activity Information:** We collect information about your use of Flynn computers and networks, including your use of the internet and your email communications using company computers or systems.
  - **Geolocation Data:** We may collect geolocation data about you if, for example, you are operating a company-issued device, such as a company-issued mobile phone, as part of the fulfillment of your employment duties.
  - **Audio, electronic, visual, thermal, olfactory, or similar information:** We store photographs of you for identity verification, and we may record you on building security cameras. Your telephone calls may be monitored or recorded when accessing company resources, such as IT services, and your use of company computer systems may be electronically recorded or otherwise monitored. In addition, your calls may be monitored or recorded if you are interacting with a customer or member of the public in a customer service capacity. We do not collect any of your thermal, olfactory or similar information.
  - **Professional or employment-related information:** We collect information about your professional and employment-related background through the recruitment process (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of your application to work at Flynn). During the employment or professional relationship, we collect information regarding your wages/salary/compensation, annual leave, retirement, work performance, disciplinary actions, and/or grievance information. We also may collect information regarding job titles, salary history, work history, working hours, holidays, absences, training records and professional memberships. For purposes of administering employee benefits, we collect health information, your marital status, and dependent information.

- **Education information:** Your employment records include information you provided during the application process about the educational institutions you have attended or your level of education. We also collect and maintain information about any professional licenses you hold, certifications you receive, or additional education or training you undertake during your employment.
- **Commercial Information:** Collection of information related to your purchase and use of Flynn products or services, if any, is outside the scope of this Privacy Notice. Please refer to our website privacy policy available at [flynnrestaurantgroup.com](http://flynnrestaurantgroup.com).
- **Inferences drawn to create a profile:** We do not create profiles about you reflecting your preferences or characteristics.

## How We Collect Your Personal Information

We collect personal information about employees and applicants through the application and recruitment process, directly from candidates, and from employment agencies, screening services, and/or other background-check providers. We may collect additional information from third parties including former employers, credit reference agencies, or other sources that supply employment verification services.

We may collect additional personal information in the course of job-related activities throughout the period you work for us. This can be in the form of information you provide directly to us or information which we collect automatically about you, such as monitoring computer access and usage.

## How We Use Personal Information About You

We will only use your personal information as permitted by law. Situations in which we use your personal information include:

- **Decisions related to your employment,** including making decisions about your recruitment; determining whether to offer you a position and on what terms; reviewing your performance; evaluating your development as an employee; setting your job duties and assessing our staffing needs; assessing your qualifications for other roles within the company or promotion; determining salary and compensation; preparing for grievance or other disciplinary procedures, including termination; dealing with legal disputes involving you or other employees, including accidents at work; and ascertaining your fitness for work.
- **Business Purposes,** including conducting data analytics studies to review and better understand employee retention and attrition rates; and ascertaining and fulfilling education, training, and development requirements.
- **Administering payments and benefits,** including making tax and other required deductions and making decisions about salary and compensation.
- **Security measures and complying with health and safety obligations,** including ensuring the physical safety of our facilities, resources, employees, applicants, and other people from threats; preventing fraud and to secure our systems, data, resources, and facilities from unauthorized access or exploitation; monitoring compliance with our IT policies; ensuring network and information security, including preventing unauthorized access to our computer and electronic

communications systems, and preventing malicious software distribution; and investigating theft and other illegal activities.

- **Compliance with legal obligations**, including verifying that you are legally permitted to work in the United States.

We may use any and all of the information collected for any of the purposes described in this Privacy Notice, unless limitations are listed.

## Disclosure of Your Personal Information

We may disclose personal information that we collect or you provide as described in this Privacy Notice:

- To our affiliates, subsidiaries, and other Flynn companies.
- To service providers, which are companies we use to support our business and who are bound by law and contractual obligations to keep your personal information confidential. Service providers may use information we share with them only for the purposes for which we disclose it to them. The categories of service providers that we share information with and the services they provide are:
  - **Payroll services providers** that assist us in calculating and disbursing your salary and other compensation.
  - **Auditing and accounting firms**, such as firms that assist us in the creation of our financial records.
  - **Professional services consultants**, such as firms that perform analytics, assist with improving our business, provide legal services, or supply project-based resources and assistance.
  - **Recruitment vendors** that assist with the application process, including assessing candidate qualifications and providing the platform through which candidates submit their candidacy.
  - **Analytics services**, including entities that analyze traffic to and on our website and assist with identifying and communicating with potential customers.
  - **Security vendors**, such as entities that assist with security incident verification and response, service notifications, and fraud prevention.
  - **IT vendors**, such as entities that assist with website design, hosting and maintenance; data and software storage; and network operation.
- To other external parties when required by law or to protect Flynn or other persons, as described in this Privacy Notice.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of some or all of Flynn's assets or capital stock, whether as a

going concern or as part of bankruptcy, liquidation or a similar proceeding, in which personal information held by Flynn about our employees and applicants is among the assets transferred. If this happens, the recipient of the personal information will continue to honor the promises made in this Privacy Notice, or else provide you notice of any changes.

We do not sell your personal information to any third parties. However, we may disclose aggregated or deidentified information without restriction.

## **Special Information for California Residents**

The California Consumer Privacy Act (“CCPA”) provides California residents, referred to in the law as “consumers,” with rights to receive certain disclosures regarding the collection, use and sharing of personal information, as well as rights to access and control personal information. The CCPA defines “personal information” to mean “information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular” California resident. Certain information we collect may be exempt from the CCPA because it is considered public information (because it is made available by a government entity) or covered by a federal privacy law, such as the Gramm–Leach–Bliley Act, the Health Insurance Portability and Accountability Act, or the Fair Credit Reporting Act.

To the extent that we collect personal information about you that is subject to the CCPA, that information, our practices, and your rights are described in the below disclosures.

### **Right to Information Regarding the Categories of Personal Information Collected, Sold, and Disclosed**

You have the right to obtain information regarding the categories of personal information we collect, sell, or disclose. That information is provided in this Privacy Notice. We collect the categories of information described in the Information We Collect About You section above. The categories we use to describe the information are those enumerated in the CCPA.

### **Right to Access and Request Deletion of Information**

We are not required at this time to comply with requests from former or current employees or applicants who request access to or deletion of information that was collected and used solely in the context of their role as a former or current employee or applicant. If you would like more information about your employment history with Flynn, contact the Human Resources Department directly.

### **Right to Information Regarding Participation in Data Sharing for Financial Incentives**

We may run promotions from time to time whereby we incentivize an employee or applicant to share certain pieces of information with us. Participation in any of these incentives is voluntary, and you may opt out of the data sharing at any time.

### **Right to Opt Out of Sale of Personal Information to Third Parties**

The CCPA defines “selling” personal information as disclosing it to an external party for monetary or other benefit. You have the right to opt out of any sale of data by Flynn to third parties. However, we currently do not sell your personal information to any third parties. Please note the right to opt out does

not apply to our sharing of data with service providers, who are parties we engage to perform a function on our behalf and are legally and contractually obligated to use the data only for that function.

### **Notice of California Employee and Applicant Data Collection and Sharing Practices**

We collect the categories of information described in the Information We Collect About You section above. The categories we use to describe the information are those enumerated in the CCPA.

### **Data Security**

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration and disclosure. We use physical, administrative, and technical safeguards to secure personal information. The safety and security of your information also depends on you. You are responsible for following all Flynn security policies.

Unfortunately, the storage and processing of information via internet-connected computers can never be completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information stored or processed by us.

### **Transferring Your Personal Information Abroad**

Your personal information will be stored and processed in the United States. Flynn and its service providers may also transfer information that we collect about you, including personal information, across borders and from your country or jurisdiction to other countries or jurisdictions around the world. These jurisdictions may not have the same data protection laws as your jurisdiction. Wherever your personal information is transferred, stored, or processed by us, we will take commercially reasonable steps to safeguard the privacy of your personal information.

### **Changes to this Privacy Notice**

We reserve the right to update this Privacy Notice at any time. If we make material changes to this policy that will affect you, we will provide you with an updated copy of this Notice as soon as reasonably practical.

If you have any questions about this Privacy Notice, please contact us at [privacy@flynnrg.com](mailto:privacy@flynnrg.com).