

<b>Policy Number:</b> P.01.01
<b>Subject:</b> EEA Employee and Job Applicant Privacy Policy
<b>Department Name:</b> Law Department
<b>Original Issue Date/Last Revised:</b> May 22, 2018
<b>Policy Owner &amp; Contact:</b> General Counsel

## **Purpose**

This Policy explains how Brunswick Corporation, its subsidiaries and affiliates collect and process Personal Data relating to employees and job applicants in the European Economic Area (“EEA”).

## **Applicability**

This Policy applies to the personal data of all current and former full and part-time, temporary and regular employees, consultants and independent contractors, dependents and job applicants (each, a “Data Subject”) that is received, obtained, or stored by a Brunswick company.

## **Definitions**

*Brunswick:* For each Data Subject, the entity in the Brunswick group of companies that employs the Data Subject or to which the application for employment is sent to.

*Processor:* Any individual or entity that processes Personal Data under Brunswick’s direction and on its behalf, including, but not limited to, payroll providers, software developers or providers, benefits brokers, benefits providers, training providers, human resources consultants, insurance companies, and tax and accounting firms.

*European Economic Area (EEA):* Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the United Kingdom (including England, Scotland, Northern Ireland and Wales) and any other countries which may later be deemed part of the EEA.

*Personal Data:* As defined in the EU General Data Protection Regulation (GDPR), any information relating to an identified or identifiable natural person (data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

*Processing:* Any operation or set of operations performed on Personal Data, whether or not by automatic means, such as collecting, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, disseminating, or otherwise making available, alignment or combination, restriction, erasure or destruction.

*Special Category Data:* Information that relates to a Data Subject's racial or ethnic origin; political opinion; religion or philosophical beliefs; trade union membership; genetic data; biometric data and data concerning health, sex life or sexual orientation.

## **Policy**

### A. Collection and Processing.

Brunswick collects and processes the following categories of Personal Data of Data Subjects:

- **Identification data:** name, age, date of birth, paternity, nationality, place of birth, gender, personal and professional address, personal and professional phone number, personal and professional e-mail, ID number, passport number, driver's license, visa and residency permit and expiring dates, tax number, social security number, employee number, photograph
- **Family data:** marital status, number of dependents, emergency contact information, names of spouse or partner and sons/daughters and other relevant information for allowances and insurance purposes
- **Educational data:** Academic and professional qualifications, dates and grades, CV, previous employment background and references, languages and other skills
- **Training data:** courses, dates, grades, hours and subject matters
- **Salary and other benefits:** base salary, bonus, subsidies, grants, benefits, expenses, cash advances and other amounts due, social benefits, compensation, labour credits, garnishments, banking details, currency, pay frequency, rates and discounts applicable
- **Employment conditions:** date of hire, division, job title and tasks, workplace, seniority, employment status and type, contract and conditions, supervisor, subordinates, appraisals, promotions, retirement eligibility, working time records (vacation, absence, sick leave, maternity and paternity leaves, other leaves), overtime, shift work, work abroad (date, duration and location), business travels, student worker status, pre-retirement, disciplinary records, proceedings and sanctions, termination date and reason.
- **Access rights:** Work equipment delivered, authorized computer applications, access permissions to computer systems, internet, electronic mail, assignment and cancellation dates

- **Others:** any other Personal Data required under the terms of the applicable law and the contract.

Brunswick collects the majority of the Personal Data directly from its employees and some are generated by Brunswick.

Concerning the Personal Data including Special Categories of Personal Data of employee's dependents, it is the Employee's responsibility to inform his/her dependents about the collection and Processing, including about their rights, and to obtain their explicit consent, where required, to the processing (including transfers), in compliance with applicable law and this Policy.

Brunswick collects and processes Personal Data for the following employment-related purposes:

- reporting and statistics;
- performance management and appraisal;
- recruiting;
- supporting mobility of personnel;
- succession planning and talent development;
- training;
- benefits processing;
- budgeting and forecasting;
- accounting and payroll processing;
- tax and social security disclosures;
- maintaining databases and providing IT support;
- ensuring compliance with Brunswick policies and Codes of Conduct, including, but not limited to, the Brunswick Ethics Program and associated investigations;
- hiring and termination;
- human resources management;
- personnel management for Brunswick entities;
- assessment and response to security, health, and safety concerns;
- complying with contractual obligations; and
- complying with legal obligations.

Brunswick commits to processing Personal Data for the identified purposes of data processing, except where restricted by applicable law. Brunswick may process Personal Data other than for employment-related purposes as discussed above if the processing is required by law.

The legal basis for these processing activities are:

- the fulfillment of the employment contract;
- compliance with labour, tax, social security and sectorial laws to which

- Brunswick is subject to; and
- the legitimate interests of Brunswick, such as resource management, ensuring business continuity, pursuing legal rights and remedies, defending litigation and managing complaints or claims; and
- where admissible, consent.

Brunswick collects and processes the following Special Category Data:

- Trade union membership, as allowed by applicable law;
- In some countries, information about church membership, as allowed by applicable law; and
- Health data.

This Special Category Data is processed as required and to the extent permitted under applicable laws to carry out Brunswick's obligations in the field of employment, tax payments, occupational health and safety and, to extent necessary, appropriate payroll functions.

Brunswick may also collect and process criminal records of its employees, where required by law (ex.: for public procurement purposes Brunswick is required to present criminal record of its Directors).

The provision of Personal Data, where its processing is essential for Brunswick to comply with its contractual and legal obligations, is mandatory and failure to provide such Personal Data may result in Brunswick having to terminate the contract or not being able to comply with certain obligations undertaken in the contract.

## B. Sharing with Third Parties.

### 1. Data Processors

Brunswick does not sell Personal Data or provide Personal Data to third parties for unrelated uses. Brunswick discloses Personal Data to third-party Processors for processing for the employment-related purposes described above.

- Brunswick partakes in a centralized HR management system called Workday which is provided for the entirety of the Brunswick group of companies by Brunswick Corporation who has engaged Workday Inc. to provide these services and host the system on its cloud servers located in the U.S. Brunswick Corporation has entered into a respective written agreement with Workday Inc. to ensure the safeguarding of the Personal Data contained in the system,
- Brunswick also has payroll service providers.
- The Brunswick group of companies operates an ethics hotline managed by Navex Global and has instructed LRN to provide appropriate ethics training on the relevant questions and concerns to the employees. During this training,

the service provider will receive basic information about the Data Subject and feed back to Brunswick whether the Data Subject has completed the training.

- Brunswick partakes in a centralized performance management system managed by SumTotal.
- Brunswick partakes in the Brunswick Global Environmental Safety and Health Information System (“AIC” or “ESHIS”) that captures limited employee information, as well as tracks employee work injuries, corrective action and EHS training.

All other Processors with access to Personal Data have equally entered into written agreements with Brunswick requiring them to protect the confidentiality and security of Personal Data and undertake to process the Personal Data in line with the applicable rules of the GDPR and their national laws. Brunswick may instruct a Processor with the processing of Personal Data Processor only in circumstances in which Brunswick has exercised due care in selecting the Processor, and where it has sufficient guarantees that the Processor will use reasonable and appropriate technical and organizational measures, in accordance with applicable laws, to meet the requirements of the GDPR and ensure the protection of the rights of the Data Subject to prevent unauthorized access to Personal Data. Data Subjects may request a list of Processors which Brunswick has enlisted to process Personal Data via the contact information in “Section I – Contact Information” below.

Some of these Processors may be located outside of the EEA, to which the jurisdictions where Data Subjects are located belong. Where that is the case, Brunswick will transfer Personal Data in accordance with applicable data protection and privacy laws and through valid data transfer mechanisms (see “Transfer,” below).

## 2. Data Transfers

Brunswick will share Personal Data of Data Subjects with other companies in the Brunswick group of companies other than for processing where there is a legal justification and a need to do so. Brunswick will share Personal Data of Data Subjects with Brunswick Corporation for centralized HR management purposes and other purposes listed above in "Collection and Processing":

- Centralized HR department and management; access is restricted to personnel with a need to know basis, i.e. within the reporting line of the respective employee and respective management functions, including performance management. This data transfer is based on fulfilment of the employment relationship with the Data Subject.
- To operate an ethics hotline for the worldwide employees of the Brunswick group of companies, operated by Navex Global. This entails that it is possible that information about a Data Subject in the EEA is transferred to this provider of the ethics hotline in case of incident reporting and management, as further described in the Code of Conduct. This transfer is based on the legitimate interest of Brunswick.
- For reporting and statistics, Personal Data will be aggregated and

anonymized, and made available to Brunswick Corporation and other companies within the Brunswick group of companies. This data transfer is based on the legitimate interest of Brunswick.

- For resource management, ensuring business continuity, including strategic talent planning, talent review, performance management, and functional group execution. This data transfer is based on the legitimate interest of Brunswick.

Additionally, Brunswick may disclose Personal Data other than for employment-related purposes as discussed above if the disclosure is:

- required by law or legal process, including but not limited to, law enforcement authorities;
- necessary or appropriate to prevent physical harm, harm or loss to property or financial loss;
- in connection with an acquisition or disposition of Brunswick's assets if permissible in the respective individual situation, or
- in connection with an investigation of suspected or actual illegal activity or violation of Company policy, to the extent this is legally permissible in the jurisdiction where the Data Subject is located.

#### C. Company Security.

Brunswick maintains appropriate administrative, organizational, technical, and physical safeguards to protect Personal Data from loss, misuse, and unauthorized access, disclosure, alteration, and destruction pursuant to this Policy and Brunswick data security procedures. All employees must comply with these procedures.

All employees that in the performance of their duties, may access and process Personal Data (from other employees, clients, suppliers or third parties) must comply with these procedures, this Policy and the applicable law in a manner consistent with the obligations of Brunswick in this matter. Employees may only collect and Process Personal Data as outlined herein and must, in particular, keep confidential the Personal Data, even after the termination of the employment relationship with Brunswick, and must protect it against accidental or unlawful destruction, accidental loss, alteration, unauthorized disclosure or access.

#### D. Data Integrity.

Brunswick takes reasonable steps to ensure that Personal Data collected, and/or processed is accurate, complete and current, and relevant to its current use. Data Subjects are obliged to assist Brunswick towards this goal, in particular by informing Brunswick about any change in the Personal Data.

E. Transfer outside the EEA.

With respect to Data Subjects located in the EEA, Brunswick may transfer Personal Data to jurisdictions outside the EEA such as the United States that have not been determined by the European Commission or other authorities to provide an adequate data protection regime. Brunswick uses valid data transfer mechanisms for Personal Data to ensure such adequate level of data protection, at its sole discretion in accordance with applicable data protection and privacy laws.

If Personal Data of Data Subjects in the EEA is transferred by Brunswick to a recipient within the Brunswick group of companies in the US, Brunswick and the receiving group company provide an adequate level of data protection by means of compliance with the certification to the EU- U.S. Privacy Shield.

The companies within the Brunswick group of companies that are located in the US, as well as their U.S. affiliates, divisions, subsidiaries further identified below, comply with the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework for Human Resources Personal Data as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of Personal Data transferred from the European Union and Switzerland to the United States for Brunswick's Human Resources operations. Brunswick has certified to the Department of Commerce that it adheres to the Privacy Shield Principles for Human Resources Personal Data. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

The U.S. Brunswick entities adhering to the Privacy Shield Principles, include: Attwood Corporation; BBG Logistics, Inc.; Blue Water Finance, Inc.; Boston Whaler, Inc.; Brunswick Commercial & Government Products, Inc.; Brunswick Family Boat Co. Inc.; Brunswick Financial Services Corporation; Brunswick Leisure Boat Company, LLC; Brunswick Marine in EMEA, Inc.; Brunswick Marine Sales Corporation; Brunswick Product Protection Corporation; Cybex International, Inc.; Garelick Mfg. Co.; Land 'N' Sea Distributing, Inc.; Life Fitness International Sales, Inc.; Lund Boat Company; Marine Power International Limited; Marine Power International Pty. Limited; Marine Power New Zealand Limited; Sea Ray Boats, Inc.; and Thunder Jet Boats, Inc.

With respect to Human Resources Personal Data received or transferred under the Privacy Shield, Brunswick and its related entities listed above are subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission, as well as the appropriate EEA Data Protection Authorities. In certain circumstances, you may invoke binding arbitration when other dispute resolution methods have been exhausted, as described in [Annex 1](#) to the Privacy Shield.

As described in the [Privacy Shield Principles](#), Brunswick remains responsible for any of your Personal Data received for Human Resources operations under the Privacy Shield and transferred to a third party.

#### 1. Cooperation

Brunswick commits to cooperate with EU data protection authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC) and comply with the advice given by such authorities with regard to human resources data transferred from the EU and Switzerland in the context of the employment relationship.

#### 2. Other

Where permitted by applicable data protection and privacy laws, all Data Subjects will generally have access to the employee directory, which includes business contact information of all Brunswick employees, such as name, position, workplace telephone numbers, work addresses and email addresses.

Data Subjects should contact Brunswick at the contact information below with questions about whether and how Brunswick transfers their Personal Data.

#### F. Data Subjects' Rights.

Employees have the right to access, rectify, block and erase their personal data. Brunswick will limit or deny access to Personal Data where providing such access is unreasonably burdensome or prohibitively expensive under the circumstances, or if otherwise permitted by applicable law. Additionally, employees have the right to demand restriction of processing by Brunswick, may object to the processing of their personal data, and have a right to data portability when the data processing is based on a contract between the data subject and Brunswick; the data subject provided the personal data to Brunswick; and the data was processed by automated means. These rights, however, are not without limitation and will be administered in accordance with applicable law.

To exercise any of their rights, Data Subjects may contact Brunswick [here](#) with their request.

#### G. Retention.

Brunswick will retain employee Personal Data in accordance with applicable legal requirements and only for as long as necessary for the purposes described above, or as long as required by law or to defend potential legal claims. The retention and/or deletion periods are further specified in the Document Retention Policy.

#### H. Monitoring of Technology.

Brunswick has implemented a number of policies and procedures consistent with applicable law to protect the confidentiality, integrity, and availability of Brunswick's information technology architecture, network, and information resources. The private use of

its systems is prohibited and the Data Subjects have been made aware of this prohibition in writing. To support these efforts, and subject to applicable laws, Brunswick reserves the right to take possession, access, monitor, intercept, and review any content or information located in any Brunswick facility or on any Brunswick system or device or transmitted via the Brunswick network.

Brunswick conducts investigations that are necessary to solve any malfunctions in the information system or any of its components that would jeopardize its operation or integrity. Information collected during the course of these investigations is only used for this purpose, and it is erased consistent with our retention policy or as required by applicable law.

To do this, Brunswick relies on log files that list all the connections and connection attempts to the information system. These files contain the following data: dates, workstations, and the subject of the event.

Brunswick can remotely access all workstations. Brunswick will only access workstations with the express authorization of the user. In the context of updates and evolutions of the information system, and when no user is connected to his or her workstation, Brunswick may have to intervene in the technical environment of the workstations, but is forbidden to access the contents of the workstation.

There may be times when authorized Brunswick personnel access or monitor workspaces—including information stored on and usage of your Brunswick computer or other Brunswick systems or devices—for the safety of others or when otherwise deemed appropriate and proportionate in the judgment of management, including considering local laws and regulations.

I. Contact Information.

To obtain access to Personal Data and exercise any of Data Subjects' rights, or for questions regarding data security or Personal Information, Data Subjects should contact Brunswick's Privacy Council:

Web portal: [Individual Rights Management](#)

Telephone: 855-283-1103 (toll-free North America) or 847-735-4002

In writing: Privacy Council  
26125 N. Riverwoods Blvd., Suite 500  
Mettawa, Illinois 60045

If you would prefer to ask questions or contact the Privacy Council in your local language, rather than in English, please contact your local Human Resources representative or your Privacy Liaison(s), who will liaise with the Privacy Council.

J. Exceptions.

Adherence to this Policy may be limited (a) to the extent required to respond to a legal or ethical obligation; (b) to the extent necessary to meet national security, public interest or law enforcement obligations; and (c) to the extent expressly permitted by an applicable law, rule or regulation.