

California Notice of Employment Privacy Practices

Effective Date: January 1, 2020

Last Updated: July 18, 2023

Winston & Strawn LLP (“Winston,” “we,” “us,” or “our”) has implemented this **California Notice of Employment Privacy Practices (the “Notice”)** to address the requirements of the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act (collectively with all implementing regulations, “CCPA”). This Notice applies solely to California residents whose personal information is collected by Winston in the following situations:

- In connection with a job application;
- In connection with being an employee of, owner of, director of, officer of, or contractor of Winston (collectively referred to as “Workforce Member”), to the extent that the personal information is collected and used by Winston within the context of such role or former role as a Workforce Member of Winston.
- In connection with emergency contact information of the Workforce Member, to the extent that the personal information is collected and used solely within the context of having an emergency contact on file.
- Personal information that is necessary for the business to retain or to administer benefits for another individual relating to the Workforce Member to the extent that the personal information is collected and used solely within the context of administering those benefits.

We refer to such individuals as “you” or “your” throughout this Notice.

We note that CCPA and other privacy regulations are still in development and may change in the future. Therefore, we may choose or be required to update this Notice. Any terms defined in CCPA have the same meaning when used in this Notice.

This Notice does not address our treatment of certain of your personal information that is excluded from the scope of CCPA, including your personal information that is regulated by the Health Insurance Portability and Accountability Act (“HIPAA”).

NOTICE AT COLLECTION

We collect information from you and about you. Here are some examples of the information we may collect, how we may use it and how we may disclose it. Below this Notice At Collection, you will find more detailed descriptions of how we may collect, use and disclose personal information.

- **Contact Information.** This may include your name, mailing or billing address, email address, phone number or signature.
 - **How We May Collect It :** Directly from you; from your beneficiaries and dependents; from our service providers; from Workforce Members; from benefits administrators; or from third parties.
 - **How We May Use It:** For operational purposes; to provide services and benefits to you as a Winston Workforce Member; for legal purposes; for security purposes; or for other permitted purposes.
 - **How We May Disclose It:** Internally, on our online platforms and in written materials; to service providers; to authorized third parties; to comply with the law or protect our organization; with successors to all or part of our organization; or for other permitted purposes.
- **Government identification numbers.** This may include your Social Security number, driver’s license or state identification number, passport number, military identification number, or tribal identification number.
 - **How We May Collect It:** Directly from you; from your beneficiaries and dependents; from our service providers; from Workforce Members; or from benefits administrators.
 - **How We May Use It:** For operational purposes; to provide services and benefits to you as a Winston Workforce Member; for legal purposes; for security purposes; or for other permitted purposes.
 - **How We May Disclose It:** Internally, to service providers; to authorized third parties; to comply with the law or protect our organization; with successors to all or part of our organization; or for other permitted purposes.
- **Financial information.** This may include your financial account number, such as your checking or savings account number.
 - **How We May Collect It:** Directly from you.
 - **How We May Use It:** For operational purposes; to provide services and benefits to you as a Winston Workforce Member; for legal purposes; for security purposes; or for other permitted purposes.

- **How We May Disclose It:** Internally, to service providers; to comply with the law or protect our organization; with successors to all or part of our organization; or for other permitted purposes.
- **Protected classification characteristics under state or federal law.** This may include your age, race, color, ancestry, national origin, immigration status, citizenship, marital status, sex, gender, pregnancy or childbirth and related medical conditions, or veteran or military status. In certain limited circumstances, we may collect gender identity, gender expression, sexual orientation, genetic information (including familial genetic information), religion or creed; however, please note that we strive to minimize our collection of this type of personal information.
 - **How We May Collect It:** Directly from you; from your beneficiaries and dependents; or from Workforce Members.
 - **How We May Use It:** For operational purposes; to provide services and benefits to you as a Winston Workforce Member; for legal purposes; for security purposes; or for other permitted purposes.
 - **How We May Disclose It:** Internally, on our online platforms and in written materials; to service providers; to authorized third parties; to comply with the law or protect our organization; with successors to all or part of our organization; or for other permitted purposes.
- **Health or medical information.** This may include information about your medical condition, or physical or mental disability. It may also include your health insurance identification number.
 - **How We May Collect It:** Directly from you; from our service providers; or from benefits administrators.
 - **How We May Use It:** For operational purposes; to provide services and benefits to you as a Winston Workforce Member; for legal purposes; for security purposes; or for other permitted purposes.
 - **How We May Disclose It:** Internally, to service providers; to authorized third parties; to comply with the law or protect our organization; with successors to all or part of our organization; or for other permitted purposes.
- **Internet or other similar network activity.** This may include unique personal identifier, account usernames and passwords, online identifiers, IP address and location based on IP address, device identifier, browsing history, search history, and information regarding interaction with an online program or application.
 - **How We May Collect It:** Directly from you or automatically.
 - **How We May Use It:** For operational purposes; for legal purposes; for security purposes; or for other permitted purposes.
 - **How We May Disclose It:** Internally, to service providers; to comply with the law or protect our organization; with successors to all or part of our organization; or for other permitted purposes.
- **Sensory data.** This may include pictures (e.g., photographs on government identification cards or passwords or photographs from Winston social or business events or photographs taken for Workforce Member ID purposes), video conferences, video recordings (e.g., videos captured for security purposes), telephone calls (e.g., if your tasks as a Workforce Member require you to participate in telephone calls that may be recorded).
 - **How We May Collect It:** Directly from you; from our service providers; from Workforce Members; from third parties; or automatically.
 - **How We May Use It:** For operational purposes; for legal purposes; for security purposes; or for other permitted purposes.
 - **How We May Disclose It:** Internally, on our online platforms and in written materials; to service providers; to authorized third parties; to comply with the law or protect our organization; with successors to all or part of our organization; or for other permitted purposes.
- **Professional information.** This may include your current or past job history or performance evaluations, professional license information and bar standings; corporate expense information, salary information, drug screen results, fitness-for-duty or preemployment physical exam results, tax rates, retirement fund information, compensation information, bonus information, benefits information, or stock option information.
 - **How We May Collect It:** Directly from you; from our service providers; from Workforce Members; from benefits administrators; from third parties; or automatically.
 - **How We May Use It:** For operational purposes; to provide services and benefits to you as a Winston Workforce Member; for legal purposes; for security purposes; or for other permitted purposes.
 - **How We May Disclose It:** Internally, on our online platforms and in written materials; to service providers; to authorized third parties; to comply with the law or protect our organization; with successors to all or part of our organization; or for other permitted purposes.

- **Education information.** This may include schools attended, degrees and certificates awarded or in process, grades achieved in education courses, vocational trainings and certifications and transcript information.
 - **How We May Collect It:** Directly from you; from our service providers; from third parties; or automatically.
 - **How We May Use It:** For operational purposes; to provide services and benefits to you as a Winston Workforce Member; for legal purposes; for security purposes; or for other permitted purposes.
 - **How We May Disclose It:** Internally, on our online platforms and in written materials; to service providers; to authorized third parties; to comply with the law or protect our organization; with successors to all or part of our organization; or for other permitted purposes.
- **Inferences drawn from personal information.** This may include using the categories of personal information above to create a profile relating to your preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitude.
 - **How We May Collect It:** Directly from you; from your beneficiaries and dependents; from our service providers; from Workforce Members; from benefits administrators; from third parties; or automatically.
 - **How We May Use It:** For operational purposes; to provide services and benefits to you as a Winston Workforce Member; for legal purposes; for security purposes; or for other permitted purposes.
 - **How We May Disclose It:** Internally, to service providers; to authorized third parties; to comply with the law or protect our organization; with successors to all or part of our organization; or for other permitted purposes.

Our Personal Information Retention Criteria: CCPA requires that we disclose the criteria we use to determine how long we will retain each category of personal information we collect. Oftentimes, our records contain several of these categories of personal information combined together and therefore we consider, on a case-by-case basis, a number of factors to assess how long personal information is retained. These factors include what personal information is reasonably necessary to (i) provide our products and services or administer our relationship with an individual; (ii) protect our business, employees, organization and others; (iii) fulfill our legal and regulatory obligations; and (iv) investigate and address issues which may include safety concerns, potential security incidents or policy violations.

Required Disclosures. We are required under CCPA to make the disclosures that follow in this paragraph. Please note that we do not sell Workforce Member personal information or personal information of individuals under the age of 16. We also do not share Workforce Member personal information for cross-contextual advertising purposes. Finally, we strive to collect, use and disclose “sensitive personal information” (as this term is defined under relevant United States privacy laws) only as permitted or required under these laws.

MORE DETAILS ABOUT HOW WE MAY COLLECT YOUR PERSONAL INFORMATION

We may collect your personal information in different ways. Below, you will find additional details and examples regarding how we may collect your personal information.

- **Directly from you.** For example, we collect the personal information you provide to us in connection with your job application or application for Winston-provided benefits. We will also collect the personal information you provide to us throughout the duration of your employment with Winston.
- **From your beneficiaries and dependents.** For example, your beneficiaries and dependents may provide us with your personal information in the course of their receipt of benefits provided or administered by us.
- **From our service providers.** For example, we will collect your personal information from the service provider that provides background checks for us. We may also receive your personal information from service providers who help us run our business, including payroll, software, certain recruiters, and travel management providers.
- **From Workforce Members.** For example, if a Workforce Member provides your personal information in connection with an application for Winston-provided benefits.
- **From benefits administrators.** For example, we may receive personal information about you from the companies that administer the benefits plans offered by Winston.
- **From third parties.** For example, a recruiting agency may provide your personal information to us in connection with our search for a Workforce Member. We may also receive personal information from your medical provider in connection with an absence from work or other medical need you may have.

- **Automatically.** For example, we may automatically collect personal information from the computers and other devices that you use in the course of being a Workforce Member. We may also collect such personal information from the electronic platforms we provide to you, including Winston's email, word processing and "chat" platforms.

MORE DETAILS ABOUT HOW WE MAY USE YOUR PERSONAL INFORMATION

Here are more details and examples regarding how we may use your personal information:

- **For operational purposes.** This may include using your personal information to properly administer our workforce and support our organizational functions, such as hiring, undertaking performance reviews, processing payroll or addressing tax requirements. This may also include using your personal information to assess the diversity of our workforce and administer our diversity and inclusion programs and services.
- **To provide services and benefits to you as a Winston Workforce Member.** For example, this may include using your personal information to offer and maintain our benefits and compensation programs.
- **For legal purposes.** For example, this may include using your personal information to respond to law enforcement or legal requests, including by responding to court orders or subpoenas. We may also use your personal information as permitted or required to fulfill our obligations under laws or governmental regulations.
- **For security purposes.** This may include using your personal information to safeguard our information technology infrastructure, detect security incidents, conduct investigations and take other actions as required or permitted by applicable law to protect and defend Winston, our affiliates and subsidiaries, and our Workforce Members.
- **For other permitted purposes.** This may include using your personal information as directed by you, as we otherwise describe to you when collecting your personal information or as otherwise set forth in or permitted by the CCPA or other applicable laws.

MORE DETAILS ABOUT HOW WE MAY DISCLOSE YOUR PERSONAL INFORMATION

Here are more details and examples regarding how we may disclose your personal information:

- **Internally.** This may include our parent company, subsidiaries and affiliates.
- **On our online platforms and in written materials.** For example, this may include sharing pictures of you on our website and our social media pages. We may also include your personal information in written materials, such as articles and marketing communications.
- **To service providers.** This may include entities that provide services back to our company, including our legal counsel, technology vendors and benefits administrators.
- **To authorized third parties.** For example, this may include our auditors, actuaries, accountants or other third parties, as required or permitted by applicable law. This may also include disclosing certain of your personal information, including diversity-related information, to our clients in the normal course of our operations.
- **To comply with the law or to protect our organization.** This may include responding to court orders or subpoenas, or defending Winston in a lawsuit. This may also include sharing your personal information if a government regulator or investigatory body requests this data. We may disclose also your personal information when we are investigating a security incident, allegation, or a potential fraud or violation of law.
- **With any successors to all or part of our organization.** For example, if we merge with, acquire or are acquired, or sell part of our company to another entity. This may include an asset sale, corporate reorganization or other change of control.
- **For other permitted purposes.** This may include disclosing your personal information as directed by you, as we otherwise describe to you when collecting your personal information or as otherwise set forth in or permitted by the CCPA or other applicable laws.

PRIVACY RIGHTS

Subject to certain exclusions included in CCPA, and as relevant to our operations, you may have the rights listed below with respect to the personal information that we maintain about you. We may take steps to verify your identity, as permitted or required under CCPA, before we process your request. Verification may include asking you to provide information about yourself that we can match against information already in our possession.

- **Notice.** This means that you can request that we disclose what personal information we have collected about you, including the categories of personal information, the categories of sources from which the personal information is collected, the business or commercial purpose for collecting, selling, or sharing personal information, the categories of third parties to whom we have disclosed personal information, and the specific pieces of personal information we have collected about the consumer.
- **Deletion.** This means that you can request that we delete personal information about you which we have collected from you.
- **Correction.** This means that you can request that we correct inaccurate personal information that we maintain about you.
- **Right to Non-Discrimination.** This means that we are prohibited from discriminating against you if you exercise your rights under CCPA.

California residents who wish to exercise their rights under this section can contact Jennice Lehman at JLehman@winston.com. Please indicate you are a California resident making a “CCPA” request.

Agents. Agents that you have authorized to act on your behalf may also submit CCPA requests as instructed above. The agent must also provide evidence that they have your written permission to submit a request on your behalf. If we are unable to verify the authenticity of a request, we may ask you for more information or may deny the request.

AMENDMENT

Winston reserves the right to amend this Notice at our discretion and at any time. When we make changes to this Notice, we will update the Notice's effective date and make available the updated Notice as required by law.

CONTACT INFORMATION

If you have any questions or comments about this Notice, the ways in which Winston collects, uses and discloses your personal information, please contact Lisa McLafferty, Chief Talent Officer at LMcLafferty@winston.com or 312-558-6151.