

# LS POWER EMPLOYEE, TEMPORARY EMPLOYEE, INTERN, AND JOB APPLICANT PRIVACY NOTICE

Effective Date: December 21, 2022

This Privacy Notice applies solely to the collection and use of Personal Information of natural persons by LS Power Development, LLC, Tiber Capital Partners, LLC, EJS Operations, LLC, Porta Management, LLC, and Craft Work Capital, LLC (together “LS Power,” or “we,” “us” or “our”) for a number of purposes in connection with: evaluating your application for employment/temporary employment/internship, your employment, or your temporary employment or internship, as applicable, with LS Power. We adopt this notice to comply with applicable data breach, protection and privacy laws, including but not limited to the California Consumer Privacy Act of 2018 (“CCPA”), as amended, the EU General Data Protection Regulation (“GDPR”), as amended, the UK General Data Protection Regulation (“UK GDPR”), as amended, and their implementing regulations (together “Data Protection Laws”).

## TERMS USED IN THIS PRIVACY NOTICE

The terms used in this Privacy Notice have the meaning given to them, or parallel terms, in the Data Protection Laws. For example, for the purposes of this Privacy Notice, “**Personal Information**” is defined as information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual or household, and does not include publicly available information from government records, de-identified or aggregated information, or other regulated information that is excluded from the scope of Data Protection Laws, such as Personal Information covered by the Fair Credit Reporting Act, or the Health Insurance Portability and Accountability Act. Personal Information also includes personal data as defined under the GDPR, personal information as defined under the CCPA, non-public personal information as defined under Federal law, as well as any other terms in applicable local data privacy regulations intended to address the same type of information.

## HOW WE COLLECT, USE, AND SHARE PERSONAL INFORMATION

LS Power collects your Personal Information in different ways and for different purposes, as described further below. We explain below the categories of Personal Information we may collect and may have collected about you, the sources from which we may have collected that Personal Information, the purposes for which we may have used that Personal Information, and the third parties with whom we may have disclosed or shared that Personal Information.

## CATEGORIES OF PERSONAL INFORMATION LS POWER MAY COLLECT OR MAY HAVE COLLECTED ABOUT YOU

- **Identifiers**, such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers.
- **Personal Information described in Cal. Civ. Code § 1798.80(e)**, such as your name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.

Please note that some Personal Information included in this category may overlap with other categories.

- **Characteristics of protected classifications under California or Federal law**, Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).
- **Professional or employment-related information**, such as current or past job history or performance evaluations.
- **Education information**, such as education or student records.
- **Internet or other electronic network activity information**, such as browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.
- **Sensitive Personal Information**, such as Social Security number, driver's license, state identification card, or passport number; account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; racial or ethnic origin, religious or philosophical beliefs, or union membership; the contents of a consumer's mail, email and text messages unless the business is the intended recipient of the communication; personal information collected and analyzed concerning a consumer's health; or personal information collected and analyzed concerning a consumer's sex life or sexual orientation.

## **PURPOSES FOR COLLECTION AND USE OF PERSONAL INFORMATION**

We may use or disclose the Personal Information we collect for one or more of the following business or commercial purposes (each, a "Business Purpose"). Specifically, to:

- Perform employment-related functions, such as providing Human Resources services, administering payroll, compensation, reimbursement, insurance programs, managing professional development, enforcing employment agreements and LS Power policies;
- Recruit and evaluate job applicants, including reviewing resumes, conducting background and reference checks, determining your eligibility as an employee;
- Comply with applicable laws and regulatory requirements, or as requested by government or regulatory authorities or law enforcement;
- Maintain the security and integrity of our systems, including maintaining internal records, or to detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, and prosecute those responsible for that activity;
- Provide you with information, products or services that you request from us, such as employee wellness or opt-in benefit offerings;
- For marketing and informational purposes, including to improve LS Power's internal employee programs, as part of LS Power's public facing materials, including reports, website materials, and social media posts, and to respond to requests related to LS Power's ESG and DEI programs;
- As necessary or appropriate to protect the rights, property, or safety of you, LS Power, our clients, our employees, or others; or
- In connection with a merger, divestiture, acquisition, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us is among the assets transferred.

## **SOURCES OF PERSONAL INFORMATION**

The categories of sources from which we collect or receive Personal Information may include you, government entities, publicly available sources, credit agencies or bureaus, service providers or other third parties (e.g., if you provided a referral upon applying for a job with us).

## **PARTIES TO WHOM WE MAY DISCLOSE PERSONAL INFORMATION**

Access to your Personal Information will generally be limited to those individuals with a relevant responsibility, e.g. HR personnel, managers, the IT team, the compliance team, or the legal team. However, some Personal Information will be made available generally to other employees, for example on our corporate directory or our intranet, in order to facilitate communication and co-operation between employees.

LS Power may also disclose your Personal Information to a third party, including our affiliates and subsidiaries, our service providers, business counterparties, and government agencies and law enforcement officials. We may disclose your Personal Information to assist us in or for the purposes of:

- Performing employment-related functions, such as providing Human Resources services, administering payroll, compensation, reimbursement, insurance programs, managing professional development, enforcing employment agreements and LS Power policies;
- Recruiting and evaluating job applicants, including reviewing resumes, conducting background and reference checks, determining your eligibility as an employee;
- Complying with applicable laws and regulatory requirements, or as requested by government or regulatory authorities or law enforcement;
- Maintaining the security and integrity of our systems, including maintaining internal records, or to detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, and prosecute those responsible for that activity;
- Providing you with information, products or services that you request from us, such employee wellness or opt-in benefit offerings;
- For marketing and informational purposes, including to improve LS Power's internal employee programs, as part of LS Power's public facing materials, including reports, website materials, and social media posts, and to respond to requests related to LS Power's ESG and DEI programs;
- Protecting the rights, property, or safety of you, LS Power, our clients, our employees, or others; or
- In connection with a merger, divestiture, acquisition, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us is among the assets transferred.

LS Power does not sell your Personal Information or share your Personal Information for the purposes of for cross-context behavioral advertising.

## **RETENTION OF PERSONAL INFORMATION**

LS Power will retain your Personal Information for a period that is reasonably necessary to fulfill the purposes listed above or as required or permitted by applicable laws.

## **YOUR RIGHTS AND CHOICES**

Data Protection Laws may provide you with certain rights with regards to your Personal Information. This Section explains some of those rights. You may have additional rights as applicable under local law or data

privacy regulation. If you would like to exercise any of those rights, please see below for more information on how to submit a request.

- **RIGHT TO KNOW ABOUT AND ACCESS YOUR PERSONAL INFORMATION.** You may have the right to request that LS Power provide you with information regarding what Personal Information about you we have collected, used, disclosed, sold, or shared in the. The requested information may be limited to the preceding twelve (12) months and you may be limited to making a request to know about or access your Personal Information twice within a twelve (12)-month period.
- **RIGHT TO DELETE YOUR PERSONAL INFORMATION.** You may have the right to request that LS Power delete certain of your Personal Information that we have collected about you. However, this right does not apply to any of your Personal Information that is subject to an exception under Data Protection Laws or otherwise not required by Data Protection Laws.
- **RIGHT TO CORRECT YOUR PERSONAL INFORMATION.** You may have the right to request that LS Power correct inaccurate Personal Information that we maintain about you, taking into account the nature of the Personal Information and the purposes of the processing of the Personal Information.
- **RIGHT TO OPT-OUT OF THE SALE OR SHARING OF YOUR PERSONAL INFORMATION.** You may have the right to opt-out of the sale or sharing (for the purpose of for cross-context behavioral advertising) of your Personal Information. As indicated above, though, LS Power does not sell your Personal Information or share your Personal Information for the purpose of cross-context behavioral advertising.
- **RIGHT TO RESTRICT THE PROCESSING OF YOUR PERSONAL INFORMATION.** You may have the right to opt-out of the processing of your Personal Information.
- **RIGHT TO LIMIT USE AND DISCLOSURE OF SENSITIVE PERSONAL INFORMATION.** You may have the right to request that LS Power limit the use of your sensitive Personal Information, as defined under applicable Data Protection Laws. We do not collect or process your sensitive Personal Information for the purpose of inferring characteristics about you.
- **RIGHT TO SUBMIT A COMPLAINT.** You may have the right to submit a complaint to us or other regulatory authority.

LS Power will not discriminate or retaliate against you for exercising any of your rights under applicable Data Protection Laws.

## HOW TO SUBMIT A REQUEST

If you would like to exercise any of your rights under applicable Data Protection Laws, including the rights identified above, you may submit a request by calling us or sending us an email at:

**Phone:** 1-866-967-0656

**Website:** <https://www.lspower.com/contact-us/> >> Personal Information Requests (Data Privacy)

**NOTE:** Please only provide general information regarding your request. We will review and reach out through a secure communication channel should the request require the processing of specific or sensitive Personal Information.

## **SUBMITTING A REQUEST THROUGH YOUR AUTHORIZED AGENT**

You may have the option to designate an authorized agent to submit a request on your behalf, so long as the authorized agent has your written permission to do so and you have taken steps to verify your identity directly with us. If you are a California resident and you would like to designate an agent, your agent must register as such with the California Secretary of State and submit a copy of this registration along with your consumer rights request to us. We may need to contact you directly to verify the request.

## **HOW WE VERIFY YOUR REQUEST**

We cannot fulfill your request to provide you with, correct, or delete your Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you.

To verify your identity, we will ask that you provide your name and other piece(s) of Personal Information we have in our records, depending on the type, affected information, sensitivity and risk level of your request.

If we cannot successfully verify your identity, we will inform you of that fact.

We will respond to your request within thirty (30) or forty-five (45) calendar days, or as otherwise required under applicable Data Protection Laws. However, in certain circumstances, we may require additional time to process your request. If that is the case, we will advise you within thirty (30) or forty-five (45) calendar days after receiving your request why such an extension is necessary, or as otherwise required under applicable Data Protection Laws. If we cannot fulfill your request, our response to you will explain the reason why we cannot fulfill your request.

We do not charge a fee to process or respond to your request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

## **CHANGES TO THIS PRIVACY NOTICE**

LS Power reserves the right to amend this Privacy Notice at our discretion and at any time. When we make changes to this Privacy Notice, we will post the updated notice on LS Power's website at <https://www.lspower.com/privacypolicy/> and update the notice's date.

## **CONTACT FOR MORE INFORMATION**

If you have any questions or concerns about this Privacy Notice or our privacy practices, or to request this Privacy Notice in another format, please contact us at:

**Phone:** 1-866-967-0656

**Website:** <https://www.lspower.com/contact-us/> >> Personal Information Requests (Data Privacy)