



D.A. McCosker Construction Co. DBA: Independent Construction Co. Privacy Notice for California Consumers/Employees

Effective Date: January 1, 2025

D.A. McCosker Construction Co. DBA: Independent Construction Co. and its affiliates and subsidiaries (the “Company”, “we,” “us,” or “our”) provide this **Privacy Notice for California Employees and Job Applicants** (the “California Employee Privacy Notice”). This California Employee Privacy Notice applies to the personal information of California employees, interns, contractors, volunteers and applicants for those roles collected by the Company. It also applies to information provided to us about employees’ relatives or others that is used for emergency contact or benefits administration purposes.

This California Employee Privacy Notice sets forth our privacy practices as required by the California Consumer Privacy Act of 2018 (“CCPA”) and the California Privacy Rights Act (“CPRA”), as modified by the California Privacy Rights Act (“CPRA”). It only applies to employees, contractors and job applicants residing in the State of California from whom we collect “Personal Information” as described in the CCPA and CPRA. For purposes of this CCPA Employee Privacy Notice, when we refer to Consumers, we mean you to the extent you are a California employee, employee applicant, or contractor.

Information We Collect:

We may collect Personal Information from you in a variety of different situations, including, but not limited to directly from you, on our website, your mobile device, through email, in physical locations, through the mail, and/or over the telephone. More specifically, Independent Construction collects the following categories of Personal Information from California employees or potential employees, which will depend on the particular business purpose for which we collect it:

| Category | Categories of Personal Information Collected |
|---|--|
| A. Identifiers. | A real name, alias, postal address, unique personal identifier (such as device identifiers, cookies, beacons, pixel tags, mobile ad identifiers and similar technology), online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers. |
| B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)). | A name, date of birth, 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. |
| C. *Protected classification characteristics under California or federal law. | Age, race, color, ancestry, national origin, religion (including religious dress and grooming practices), creed, citizenship, marital status, medical condition, genetic information, physical or mental disability, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), sexual orientation, gender, gender identity (including transgender identity), gender expression (including transgender expression), because an individual has transitioned (to live as the gender with which they identify), is transitioning, or is perceived to be transitioning, sex stereotyping, information relating to same sex benefits, veteran or military status: <small>*We only collect this information if you voluntarily disclose it and as permitted by applicable law, and we will not use this information to make hiring decisions.</small> |



D.A. McCosker Construction Co. DBA: Independent Construction Co.
Privacy Notice for California Consumers/Employees

| Category | Categories of Personal Information Collected |
|--|--|
| D. Commercial information. | Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies. |
| E. Biometric information. | Genetic, physiological, behavioral, and biological characteristics (including an individual's deoxyribonucleic acid (DNA)), that can be used, singly or in combination with each other or with other identifying data, to establish individual identity. Biometric information includes, but is not limited to, imagery of the iris, retina, fingerprint, face, hand, palm, vein patterns and voice recordings, from which an identifier template, such as a faceprint, a minutiae template or a voiceprint, can be extracted, and keystroke patterns or rhythms, gait patterns or rhythms and sleep, health or exercise data that contain identifying information.. |
| F. Internet or other similar network activity. | Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement. |
| G. Geolocation data. | Precise physical location. |
| H. Sensory data. | Audio and visual information. If you visit, work or perform services in our facilities or facilities in which we operate, your entry, exit and actions in or around those facilities may be monitored by audio and/or visual technology. Additionally, if you are interviewed using video technology, audio and visual information obtained through the interviewing process. |
| I. Professional or employment-related information. | Current or past job history or performance evaluations, job applications or resume, employment contract(s), references, information about skills and abilities, accomplishments and awards, training and development information and employment termination information. |
| J. Education information, defined as information that is not publicly available personally identifiable information as defined by the Family Educational Rights and Privacy Act. | Education history, education records (such as grade, transcripts and class lists) and other information included in your resume or cover letter. |
| K. Inferences drawn from other personal information. | Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes. |
| L. Sensitive personal information. | As defined in the CPRA and not already set forth above. |

We may also collect personal information included in job interview notes, responses to screening questions, assessment results and any other information you provide in connection with the recruitment process. Personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:



D.A. McCosker Construction Co. DBA: Independent Construction Co. Privacy Notice for California Consumers/Employees

- health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data.
- personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

Independent Construction Co. obtains the categories of Personal Information listed above from the following categories of sources:

- Directly from you. For example, during the application process, from forms you complete or documents you provide us.
- Third parties. For example, staffing and recruiting agencies with whom we contract for services and consumer reporting agencies when we perform employee background screenings Prior employers and professional references, credentialing and licensing organizations, publicly available sources, such as social media profiles, and other sources as directed by you.

Business Purposes for Collecting Personal Information:

We use or disclose the Personal Information we collect from you or about you to do one or more of the following:

- Recruitment of Employees and Processing and Managing Job Applications: We use your personal information to process your job application, create an applicant profile, evaluate your qualifications, schedule and conduct interviews and communicate with you.
- Conducting Pre-Employment Screening and Background Checks: In accordance with applicable law, we use your personal information to conduct employment screening and background checks.
- Compensation and Expense Management: We use your personal information to conduct payroll processing, salary administration, expense reimbursement, manage the Company's corporate credit card program and other compensation purposes such as determining bonuses, equity and other forms of employee compensation.
- Benefits Administration: We use personal information we collect to administer benefits we provide, such as medical, dental, vision, disability insurance, retirement benefits and other employee benefit programs.
- General Human Resources Management: We use personal information we collect to provide general HR management services, including managing employee on-boarding, termination and separation, travel administration and return-to-work screening (including any medical screening as required or permitted by applicable law).
- Training and Professional Development: We use your personal information to provide employment-related training, assisting with professional licensing and development.
- Internal Employment Purposes: We use your personal information to conduct internal investigations, conduct surveys, resolve disputes, prevent, or detect fraud or security incidents, conduct employee performance reviews, enforce our policies and code of conduct, protect the rights and safety of employees or others, and manage whistleblower programs.
- Compliance with Legal Requirements and Enforcement of Our Legal Rights: We use your personal information to comply with applicable laws, regulations, and legal processes (such as responding to subpoenas or court orders), and to respond to legal claims, resolve disputes, enforce our legal rights contained in employment or other contracts and comply with legal or regulatory recordkeeping requirements.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your Personal Information or as otherwise set forth in the CCPA/CPRA or subsequently agreed to by you.



D.A. McCosker Construction Co. DBA: Independent Construction Co. Privacy Notice for California Consumers/Employees

- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all Independent Construction Co.'s assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by Independent Construction Co. is among the assets transferred.

How We Share Personal Information:

Independent Construction Co. may disclose your Personal Information to a third party for a business purpose, including to our service providers.

We share your Personal Information with the following categories of third parties:

- Service providers such as recruiters, pre-employment screening services, third-party benefits administrators, payroll processors, background check providers and others.
- Third parties with whom you direct us to share your Personal Information.
- Governmental Authorities such as federal or state regulatory agencies, law enforcement, courts and other government authorities.
- Professional Advisors such as auditors and law firms.
- Parties involved with business transfers.

Disclosures of Personal Information for a Business Purpose:

In the preceding twelve (12) months, Independent Construction Co. has disclosed the following categories of Personal Information for a business purpose:

- Category A: Identifiers.
- Category B: California Customer Records Personal Information categories.
- Category C: Protected classification characteristics under California or federal law.
- Category D: Commercial information.
- Category E: Biometric information.
- Category F: Internet or other similar network activity.
- Category H: Sensory data.
- Category I: Professional or employment-related information.
- Category K: Inferences drawn from other Personal Information.
- Category L: Sensitive Personal Information.

Sales of Personal Information:

In the preceding twelve (12) months, Independent Construction Co. has not sold Personal Information.

Retention Period: The Company retains the information it receives about you for a period of up to 6 years, unless a shorter or longer period is required by California or federal law.

Right to Delete Personal Information:

You may have a right to request that the Company delete Personal Information which you supplied to the Company. The deletion of any Personal Information shall only include information supplied by the applicant, employee or contractor and shall not include information which has been created by the Company or which was supplied by third parties. Additionally, the Company shall not delete Personal Information that it is required to be maintained by law. The Company shall have the right to refuse to delete any Personal Information in accordance with the CPRA.

Right to Correct Personal Information:

An employee, applicant or contractor may request that the Company correct objectively false information.



**D.A. McCosker Construction Co. DBA: Independent Construction Co.
Privacy Notice for California Consumers/Employees**

Right to Know:

The Company will consider any reasonable request for the Company’s handling of Personal Information and copies of “specific pieces of personal information.”

Company’s Response:

The Company will respond to a request to know, correct or delete within 45 days of verification of the request unless an extension is reasonably necessary.

Other California Privacy Rights:

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our website that are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. We do not disclose your Personal Information to third parties for their direct marketing purposes.

Changes to Our CCPA Employee Privacy Notice:

Independent Construction Co. 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 notify employees in writing and update the notice's Effective Date above. Your continued interaction with us through other methods following the posting of changes and/or our directing you to the updated CCPA Employee Privacy Notice constitutes your acknowledgment of such changes.

Effective January 1, 2025, sensitive personal information also includes “neural data,” which is defined as information that is generated by measuring the activity of a consumer’s central or peripheral nervous system, and that is not inferred from nonneural information.

Contact Information:

If you have any questions or comments about this notice, the ways in which Independent Construction Co. collects and uses your information described above, your choices and rights regarding such use, or how to exercise your rights under California law, please do not hesitate to contact us at:

Phone: 925-686-1780

Address: ATTN: HR Department, Independent Construction Co. 3911 Laura Alice Way, Concord, CA 94520

DATE: _____

EMPLOYEE NAME (please print): _____

EMPLOYEE SIGNATURE: _____

