

California Applicant Privacy Policy

Last Updated: November 18, 2024

This Privacy Policy (“**Privacy Policy**”) describes how Bestop Baja, LLC and its subsidiaries and affiliates (“**Company**”, “**we**”, “**us**,” and “**our**”) may collect, use, retain, and disclose personal information about California residents who apply or are recruited for a job with us or one of our affiliates (“**candidates**”), and their rights with respect to their personal information.

This Privacy Policy does not govern the general collection and privacy practices of any websites or online services where our job openings may be posted, including any career pages available through our websites or third-party job search, recruiting, or career networking websites or online services. We encourage you to read the privacy policies of any websites and online services you engage with to understand how the personal information collected by those websites or online services may be processed, such as through the website’s use of cookies and similar technologies.

For purposes of this Privacy Policy, “**personal information**” has the meaning given in the California Consumer Privacy Act of 2018 as amended by the California Privacy Rights Act of 2020 (collectively, the “**CCPA**”) but excludes information exempted from the CCPA’s scope.

This Privacy Policy does not create or form part of any employment contract or otherwise.

If you have questions about this Privacy Policy or to exercise your privacy rights under the CCPA, please contact baja_hr@bajadesigns.com.

Personal Information We Collect About Candidates

Categories of personal information

The categories of personal information we may collect, or have collected in the 12 months preceding the “Last Updated” date of this Privacy Policy, and process before, during and after the application or recruitment process include:

- **Identifiers**, such as:
 - **Contact information**, such as your work and home address, telephone number, email address and social media handles.
 - **Identification information**, such as your social security number, government-issued identification information (e.g., driver’s license, passport), photographs, or other similar identifiers.
- **Protected classifications**, such as:
 - **Immigration status** and other information that would allow us to verify your employment eligibility.
 - **Information needed to evaluate accommodation requests regarding potential disabilities or other health conditions.**
- **Professional or employment related information**, such as:
 - **Work history** for the last 3 years.

- **Educational background information.**
- **Biographical information**, such as name, gender, date of birth, professional history, references, language proficiency, professional qualifications, references, and information you make publicly available through job search or career networking sites.
- **Job applicant materials**, such as your job application, resume or CV, cover letter, writing samples, references, work history, education transcripts, whether you are subject to prior employer obligations, and information that referrers provide about you, and information necessary to complete background checks and other screens permitted by law.
- **Job preferences**, such as desired position and compensation, location preferences, and willingness to relocate.
- **Information from the application process**, such as any phone-screens, interviews, evaluations and outcomes of recruiting exercises.
- **Other information you provide for us.**
 - **Education information**, such as education records directly related to you and maintained by an educational institution, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.
 - **Audio, electronic, visual, or similar information**, such as information about your access to offices and facilities (e.g., security camera footage) or recordings of web-based interviews.

Providing personal information is voluntary. However, if you do not provide sufficient information, we may be unable to consider your application or, if you are hired, your subsequent promotion, transfer, or relocation.

In certain cases, we may ask you for additional information for purposes of complying with applicable laws. We may also inquire about criminal records. We will do so only where permitted by applicable law.

To the extent we collect sensitive personal information (as defined under the CCPA), we only use or disclose it for purposes permitted under the CCPA (e.g., to perform HR activities such as payroll and benefits, monitor for security incidents, and for compliance and safety purposes). We do not collect or use sensitive personal information for the purpose of inferring characteristics about California candidates.

Sources of personal information

We collect personal information from you when you apply for a job and throughout the job application or recruitment process.

We may also collect your personal information from various other sources and combine it with the personal information you provide to us. For example, we may collect your personal information from:

- job board websites you may use to apply for a job with us;
- prior employers, when they provide us with employment references;
- professional references that you authorize us to contact;
- pre-employment screening providers, such as providers of background checks (where permitted by law);

- your public social media profiles or other publicly available sources;
- employment agencies or recruiters;
- your educational institutions; and
- other Company personnel.

Purposes of the Collection and Use of Personal Information

We may use the categories of personal information above for the following business purposes or as otherwise described at the point of collection:

- **Recruitment management.** Managing recruitment generally, such as:
 - recruiting, interviewing, and evaluating candidates;
 - performing background checks and other pre-employment screening (where permitted by law);
 - analyzing and improving our application and recruitment process, including improving diversity;
 - accommodating disabilities or health conditions;
 - communicating with you regarding your candidacy and opportunities with the Company; and
 - other business operations.
- **Compliance, safety, and fraud prevention.** Complying with legal and other requirements, such as verifying identity and eligibility to work, and equal opportunities monitoring requirements; complying with lawful requests and legal process, such as responding to subpoenas or requests from government authorities; protecting our, your or others' rights, safety and property; investigating and deterring against fraudulent, harmful, unauthorized, unethical or illegal activity, or conduct in violation of our policies or procedures; pursuing legal rights and remedies, including investigating, making and defending complaints or legal claims; administering and enforcing internal policies and procedures; and sharing information with government authorities, law enforcement, courts or private parties for the foregoing purposes.
- **Research and Development.** Creating anonymous, aggregated or de-identified data that we use and share to analyze our application and recruitment activities, business, and for other lawful business purposes.
- **With Your Consent.** We will disclose your personal information in accordance with your prior direction or, in some cases, we may specifically ask you for your consent to collect, use, or share your personal information, such as when required by law.

Disclosure of Personal Information

We may disclose, and during the 12 months preceding the "Last Updated" date of this Privacy Policy may have disclosed, each of the categories of personal information described in Section 1 with other parties as necessary for the business purposes described above or as described at the time of collection, including the following persons or entities:

- **Affiliates.** Our corporate parent, subsidiaries, and other affiliates under the control of our corporate parent, for purposes consistent with this Privacy Policy or to operate shared infrastructure, systems and technology.
- **Company service providers.** Providers of services to the Company that help us manage the recruiting process and operate our business, such as job boards, recruiters, interviewing and testing, pre-employment screening, interview travel booking and expense reimbursement (where applicable), relocation (where applicable), and recruitment analytics.
- **Government authorities, law enforcement and others.** Government authorities, law enforcement, courts, and others as described in the compliance, safety, and fraud prevention section above.
- **Business transfer participants.** Parties to transactions and potential transactions whereby we sell, transfer or otherwise share some or all of our business or assets, including your personal information, such as a corporate divestiture, merger, consolidation, acquisition, reorganization or sale of assets, or in the event of bankruptcy or dissolution.
- **Professional advisors.** Accountants, auditors, lawyers, insurers, bankers, and other outside professional advisors who require your information in the course of providing their services.
- **Customers and business partners.** Customers, other companies and individuals with whom the Company does business or is exploring a business relationship.

We do not and, during the 12 months preceding the “Last Updated” date of this Privacy Policy, have not “sold” or “shared” personal information about candidates. Further, we do not knowingly “sell” or “share” the personal information of California residents under 16 years of age.

Retention of Personal Information

We will retain your personal information for as long as necessary to fulfill the purpose of collection, including for the purposes of satisfying any legal, accounting, or reporting requirements, to establish and defend legal claims, for fraud prevention purposes, or as long as required to meet our legal obligations. To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

Your California Privacy Rights

California employees may exercise the rights listed below by contacting us as described at the beginning of this Privacy Policy. However, these rights are not absolute, and in certain cases we may not be able to respond to your request, such as when a legal exemption applies or if we are not able to verify your identity. For some requests, such as deletion, we will not be able to delete information that is necessary for us to comply with legal obligations.

- **Know/Access.** You can request the following information about how we have collected and used your personal information:
 - the categories of personal information that we have collected.
 - the categories of sources from which we collected personal information.

- the business or commercial purpose for collecting, selling, or sharing (if applicable) personal information.
- the categories of third parties with whom we disclose personal information.
- a copy of the personal information that we have collected about you.
- **Delete.** You can ask us to delete the personal information that we have collected from you.
- **Correct.** You can ask us to correct inaccurate personal information that we maintain about you.
- **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination.

To submit a request, please contact us using the contact information at the top of this Privacy Policy.

We may need to confirm your identity to process your requests to know/access, delete, or correct. In addition, consistent with California law, you may designate an authorized agent to make a request on your behalf. If you do so, we may require proof of your identification, the authorized agent's proof of identification, and any other information that we may request in order to verify the request, including evidence of valid permission for the authorized agent to act on your behalf. We cannot process your request if you do not provide us with sufficient detail to allow us to understand and respond to it.

Third Party Services

This Privacy Policy does not address, and we are not responsible for, the practices of any third parties, which have their own rules for how they collect and use your personal information. Our links to third party websites or services are not endorsements.

Changes to this Privacy Policy

We reserve the right to change this Privacy Policy at any time. The "Last Updated" date at the top of this Privacy Policy indicates when it was last revised. Any changes will become effective when we post the revised Privacy Policy in the respective job posting.

Your Obligations

Among other obligations, including without limitation the obligation to provide complete and accurate information in recruiting documents and processes, it is your responsibility to ensure that information you submit does not violate any third party's rights.

You should keep your personal information on file with the Company up to date and inform us of any significant changes to it.