



## HR PRIVACY NOTICE

Your trust matters to us. That's why we protect your personal data and use it responsibly throughout your employment with FedEx Express International B.V. and its operating groups, subsidiaries and divisions, including any TNT company ("**FedEx**"). At FedEx, we are committed to protecting your privacy and the security of your personal data. FedEx has created this FedEx HR Privacy Notice ("**Privacy Notice**") to explain how FedEx collects and uses personal data ("**Personal Data**").

Last update: July 2019

When this Privacy Notice mentions "FedEx", "we", "us", or "our", FedEx is referring to the FedEx company that is deciding on the purposes and means of the processing of your Personal Data under this Privacy Notice. Your Personal Data is controlled by the local FedEx company that has entered into an employment agreement with you. Notwithstanding the local HR processes, FedEx also maintains international systems for which FedEx Express International B.V., having its headquarters in Hoofddorp, The Netherlands (for Europe) and/or FedEx Corporation, having its headquarters in Memphis, United States of America (for global), will control your Personal Data.

### Contact information

If you have any questions regarding the processing of your Personal Data in [insert country] you can contact your local FedEx company directly, which is available to deal with requests for information, applications or complaints. Notwithstanding your right to contact the local FedEx company, you always have the right to contact the following FedEx companies directly, which are also available to deal with requests for information, applications or complaints:

#### **FedEx Express International B.V.**

Attn: Legal Department

Taurusavenue 111

2132 LS Hoofddorp

The Netherlands

E: [dataprotection@tnt.com](mailto:dataprotection@tnt.com) (soon: [dataprotection@fedex.com](mailto:dataprotection@fedex.com))

#### **FedEx Corporation**

Attn: Legal Department - Compliance

1000 Ridgeway Loop Road, Ste 600

Memphis, TN 38120

United States of America

E: [dataprivacy@fedex.com](mailto:dataprivacy@fedex.com)

### Overview

This Privacy Notice answers the following questions:

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## **1. Does this Privacy Notice apply to you?**

This Privacy Notice applies to you if you are an employee or former employee of FedEx. This Privacy Notice does not include people working at FedEx as external consultants or employees of third parties providing services to FedEx.

## **2. What Personal Data does FedEx collect?**

FedEx will need to process Personal Data in the course of its business activities and provision of services, specifically to administer our human resources program and to comply with employment contracts and applicable laws in the fields of employment, social security and workplace health and safety. Without your Personal Data, we will not be able to employ you. As a rule, the Personal Data that you provide directly or indirectly to FedEx are:

- **Recruitment information**

This will include your resumé or curriculum vitae, application form, work history, education, degrees, academic records, languages and qualifications, references and any professional licenses, memberships, or certifications. For more information on our processing of Personal Data in the recruitment process, please consult our **Candidate Privacy Notice**;

- **Pre-employment screening information**

We may maintain the information we collect when we conduct pre-employment verification of your identity, address, or references and, where permitted by local law, the verification of background checks (including criminal or judicial data) about you in accordance with our Candidate Privacy Notice;

- **Contact information**

This will include your name, address, telephone numbers (home, mobile/cell, work), email address, citizenship/nationality, date and place of birth, gender, work permit information if applicable;

- **Government identifier**

Your government issued identifiers subject to the conditions of applicable law. This will include your national ID details, tax identification number, social security or national insurance number, passport number, and, where required for your job, your driver's license number;

- **Financial information**

Your bank and financial details for salary or payroll purposes. This will include your salary, other remuneration, your IBAN number or bank account number, bank name and details;

- **Employment information**

This will include your employee identification number, badge number, job title and description, department and manager, reporting lines, work location, cost center, business unit or group, work



status such as full time or part time, working hours, probation period if applicable, and employment contract terms;

- **Electronic information**

Information for use of company network and devices if applicable, which will include username, password, contact details, work telephone number and device data including use of apps on company devices (computer, telephone, tablet), company photo, if provided, and monitoring via electronic communications and/or video surveillance **(CCTV)** in so far as applied at your location;

- **Family information**

This will include marital status, dependents, beneficiaries and partner/spouse, and emergency contact information;

- **Absence information**

This will include information about your working hours and leaves, attendance, holiday/vacation, leaves or absences, travel and mobility;

- **Compensations and benefits information**

Economic and financial information for compensation and benefits. This will include your banking and account details for remuneration and compensation, information on raises and bonuses, your benefits package and information and details associated with pensions or insurance programs that may be offered in your country;

- **Performance information**

This will include regular evaluation details, reviews and feedback, details about performance plans, and information associated with professional development such as training (both internal and external), courses, seminars and conferences, and succession planning information;

- **Travel information**

Information collected for travel and expense purposes, which will include credit card, bank details (account number, IBAN, etc.), booking and itinerary details, passport information (number, expiration, issuing authority, etc.) and visa and immigration information, and travel preferences (seat preference, dietary restrictions, frequent flyer and corporate memberships, if provided); and

- **Mobility information**

Information associated with mobility, transfers and relocation (either upon hiring or as part of a transfer or work assignment), which will include family details, immigration status and nationality/citizenship, tax and social security information.

### **3. Why does FedEx process Personal Data?**

Personal Data shall be collected, used, stored or otherwise processed if necessary within the framework of responsible, efficient and effective business management by FedEx. FedEx processes Personal Data based on applicable legal ground(s). This legal ground might be intrinsically linked to the business purpose. This means, for example, that the performance of an agreement can be both a legal ground and a business purpose for FedEx. Therefore, we will first clarify the legal ground(s) on which FedEx processes your Personal Data and, subsequently, the business purpose(s) that we use your Personal Data for:

#### *Legal Grounds*

FedEx processes your Personal Data based on one of the following legal grounds:



- The processing is necessary to perform our contractual obligations with you,
- The processing is necessary for us to comply with our legal obligations (laws, regulations and sector specific guidelines to which FedEx is subject),
- The processing is necessary to protect your vital interests or of other individuals,
- The processing is necessary for the legitimate interest of FedEx, except where such interests are overridden by your interests or fundamental rights and freedoms, or
- Where appropriate and required, we will ask for your consent.

#### *Business Purposes*

FedEx shall only collect, use or otherwise process Personal Data if the processing falls within the scope of one (or more) of the following legitimate business purposes:

1. **Human resources and personnel management.** This includes processing necessary for the performance of an employment contract or an employment related contract with the employee (or to take necessary steps at the request of an employee prior to entering into a contract) e.g. management and administration of recruiting and outplacement, compensation and benefits, payments, tax purposes, career and talent development, performance evaluations, training, travel and expenses, volunteer work and employee communications;
2. **Business process execution and internal management.** This purpose addresses the necessary processing of Personal Data in order to be able to effectively work with colleagues throughout FedEx and specific activities such as scheduling work, recording time, managing company assets, provision of central processing facilities for efficiency purposes, and managing and using employee directories;
3. **Safety and security.** This purpose addresses activities such as those involving health and safety, the protection of FedEx and FedEx employees' assets and the authentication of employee status and access rights;
4. **Organizational analysis and development and management reporting.** This purpose addresses activities such as conducting employee surveys, managing mergers, acquisitions and divestitures, and processing Personal Data for management reporting and analysis;
5. **Protecting the vital interests of employees.** This is where processing is necessary to protect the vital interests of an employee, e.g. for urgent medical reasons; and
6. **Compliance with legal obligations.** This addresses the processing of Personal Data as necessary for compliance with, and investigating employee compliance with, laws, regulations and sector specific guidelines to which FedEx is subject and the processing of Personal Data that is necessary for compliance with, and investigating employee compliance with, internal FedEx policies. This includes processing that is necessary as part of whistle-blowing obligations, the pre-employment screening and the matching of the names of employees with names on so-called designated party lists.

#### **4. Does FedEx process special categories of Personal Data?**

FedEx does not process special Personal Data as a core activity in its daily business activities. Special Personal Data means Personal Data concerning a person's religious or philosophical beliefs, race or ethnic origin, political opinions, health and sexual life, biometric data in order to uniquely identify a person, trade union membership, criminal convictions and offences or related security ("**Special Personal Data**").



FedEx will, however, process your Special Personal Data when it is required by local law. Also, in some cases, the processing of Special Personal Data might happen indirectly (or as an unintended by-product of processing other personal data as explained hereafter) when for example a photo of an employee is processed where racial or ethnic data could be derived from or where health data (e.g. glasses, wheelchair) might be visible. The photo could also show political, religious or philosophical beliefs (e.g. necklace with a cross). According to the law even the processing of the photo where one of the abovementioned examples might be visible, could be considered as processing of Special Personal Data.

Special Personal Data may be collected, used or otherwise processed, including for one (or more) of the purposes specified below:

- (a) **Racial or ethnic data** (visible through pictures and moving images of an employee). In some countries, photos and video images of employees qualify as data from which racial or ethnic data could be derived from. FedEx may process photos and video images of employees (i) for inclusion in employee directories, (ii) for the protection of FedEx and employee assets, (iii) for site access and security reasons, and (iv) to comply with legal obligations.
- (b) **Physical or mental health data** (including any opinion of physical or mental health and data relating to disabilities and absence due to illness or pregnancy). FedEx may process physical or mental health data of employees if (i) such processing is required by law or applicable regulations (e.g., pilot health information required by an airline regulatory agency) or (ii) the processing is required and/or permitted by the terms of a collective bargaining agreement to which that employee is subject or to enable the employee to participate in a group health plan.

Medical Data may only be processed by a medical professional who is subject to professional confidentiality requirements for an assessment of the working capacity of an employee and for the provision of health services to an employee. The medical professional may advise FedEx on the employability of employees. FedEx may only process data concerning the employability of employees in the context of:

- (i) Administering pensions, health and welfare plans and schemes, maternity or paternity benefits;
  - (ii) Reintegrating or providing support to employees entitled to benefits with illness or work incapacity;
  - (iii) Providing facilities in the workplace to accommodate health problems or disabilities.
- (c) **Criminal data** (including data relating to criminal convictions and offences or related security measures) FedEx may process criminal data for protecting the interests of FedEx with respect to criminal offences that have been or, given the relevant circumstances are suspected to be, committed against FedEx or its employees. In case of pre-employment screening and designated party lists screening it may occur that screening could reveal information about criminal convictions and offences or related security measures.
  - (d) **Political leanings or religious or philosophical beliefs:** FedEx may process data relating to political leanings or religious or philosophical beliefs for accommodating political leanings or religious or philosophical practices, dietary requirements or religious holidays. In case of pre-employment screening and designated party lists screening it may occur that screening could reveal information about political leanings or religious beliefs.



## **5. Who has access to your Personal Data?**

FedEx shares your Personal Data internally and with third parties in the following circumstances:

- With its affiliates, operating groups, subsidiaries and divisions, or with third parties if such is necessary for the purposes as listed above. If appropriate, FedEx will require third parties to conduct activities in a manner consistent with FedEx policies and guidelines in relation to data protection.
- With data processors, i.e. parties processing Personal Data on our behalf. In such cases, these third parties are only allowed to use your Personal Data for the purposes described above and only in accordance with our instructions. FedEx will only use processors which provide sufficient guarantees to implement appropriate technical and organizational measures and ensure the protection of the rights of data subjects.
- With its employees if and to the extent necessary for the performance of their tasks. In such a case, access will be granted only if and to the extent necessary for the purposes described above and only if the employee is bound by confidentiality.
- When required to do so by law, court order, or other legal process, for example, with law enforcement agencies or other governmental agencies, to establish or exercise our legal rights or in connection with a corporate transaction, such as a divestiture, merger, consolidation, or asset sale, or in the unlikely event of bankruptcy.

## **6. How long will FedEx process your Personal Data for?**

We will retain your Personal Data no longer than necessary for the purpose(s) for which we process your Personal Data and in accordance with (local) law. After the retention period we will delete or anonymize your Personal Data, unless we need to retain certain of your Personal Data for another purpose. We will only do so if we have legal ground to retain your Personal Data. We will also ensure that Personal Data are only accessible for that other purpose.

For example, we need your Personal Data to document your absence. Employment laws dictate that we have to retain/store - certain of - those Personal Data. Generally, this period varies from 2 up to 50 years, depending on the applicable country and employment laws. In those cases, we will only store the Personal Data necessary to meet our legal obligations.

Please contact us using the contact details above if you have questions about specific retention periods.

## **7. What measures does FedEx take to protect your Personal Data?**

FedEx has taken appropriate technical and organizational measures to protect your Personal Data against accidental or unlawful processing, including by ensuring that:

- Your Personal Data is protected against unauthorized access;
- The confidentiality of your Personal Data is assured;
- The integrity and availability of your Personal Data will be maintained;
- Personnel are trained in information security requirements; and
- Actual or suspected data breaches are reported in accordance with applicable law.



## **8. Where does FedEx store or transfer your Personal Data to?**

Since we operate in many countries around the world and have international systems for employees in place, FedEx may need to transfer your Personal Data to locations outside the country where you reside. In any case where we transfer Personal Data, FedEx shall ensure that such a transfer is subject to appropriate safeguards.

Transfers of Personal Data originating from the European Economic Area ('**EEA**') to operating groups, subsidiaries and divisions within FedEx outside the EEA are governed by the Binding Corporate Rules as laid down in article 47 of the EU General Data Protection Regulation ('**GDPR**').

Transfers to third parties (outside the EEA) will be governed by a contract based on the model contractual clauses for data transfers approved by the European Commission or other appropriate safeguards as laid down in article 46 of the GDPR. For more detailed information about these safeguards, please contact [dataprotection@tnt.com](mailto:dataprotection@tnt.com) (soon: [dataprotection@fedex.com](mailto:dataprotection@fedex.com)) or [dataprivacy@fedex.com](mailto:dataprivacy@fedex.com).

## **9. What rights can you exercise in relation to your Personal Data?**

Based on the law applicable to the use of your Personal Data, you have rights in relation to your Personal Data. Note that we will have to balance your rights and your request to exercise them against our rights and obligations to process your Personal Data and to protect the rights and freedoms of others. A number of the rights you have in relation to your Personal Data, as applicable in the European Economic Area, are explained below:

### *Right of access*

You are entitled to a copy of the Personal Data we hold about you and to learn details about how we use it. Your Personal Data will usually be provided to you digitally. We may require you to prove your identity before providing the requested information.

### *Right to rectification*

We take reasonable steps to ensure that the information we hold about you is accurate and complete. However, if you believe this is not the case, you have the right to request that any incomplete or inaccurate Personal Data that we process about you is amended.

### *Right to erasure*

You have the right to ask us to erase your Personal Data, for example where the Personal Data is no longer necessary for the original purpose for which they were collected, where Personal Data has become obsolete or where you withdraw your consent to the grounds on which data is processed. However, this will need to be balanced against other factors. For example, we may not be able to comply with your request due to certain legal or regulatory obligations.

### *Right to restriction of processing*

You are entitled to ask us to (temporarily) stop using your Personal Data, for example where you think that the Personal Data we hold about you may be inaccurate or where you think that we no longer need to use your Personal Data.

### *Right to data portability*

You may have the right to ask that we transfer Personal Data that you have provided to us to a third party of your choice. This right can only be exercised when you have provided the Personal Data to us,





and when we are processing that data by automated means based on your consent or in order to perform our obligations under a contract with you.

#### *Right to object*

You have the right to object to processing which is based on our legitimate interests. You may also ask us to stop using your Personal Data for marketing purposes at any time, and if you do so, FedEx will immediately cease to use your Personal Data. For other purposes based on our legitimate interests, we will no longer process the Personal Data on that basis when you file an objection, unless we have a compelling legitimate ground for the processing. Note, however, that we may not be able to provide certain services or benefits if we are unable to process the necessary Personal Data for that purpose.

#### *Rights relating to automated individual decision-making*

You have the right not to be subjected to a decision based solely on automated decision-making, including profiling, which produces legal effects concerning you or similarly significantly affects you. If you have been subject to an automated decision and do not agree with the outcome, you can contact us using the details below and ask us to review the decision.

#### *Right to withdraw consent*

We may ask for your consent to process your Personal Data in specific cases. When we do this, you have the right to withdraw your consent at any time. FedEx will stop the further processing as soon as possible after the withdrawal of your consent. However, this does not affect the lawfulness of the processing before consent was withdrawn.

Please use [this link](#) if you would like to exercise any of your rights.

### **10. What if you have other questions or complaints?**

Questions or complaints regarding the processing of your Personal Data can be directed to FedEx by using the contact information as provided at the top of this Privacy Notice.

You also have the right to lodge a complaint with the competent (local) data protection authority in the jurisdiction where you work, where you live or where an alleged infringement takes place. As a rule, the lead supervisory authority for FedEx in the EEA is the Dutch Data Protection Authority, unless the alleged infringement is purely a local matter. A listing of the European Data Protection Authorities can be found [here](#).

### **11. Will there be updates to this Privacy Notice?**

FedEx may update this Privacy Notice from time to time. If an amendment will have a serious privacy impact, FedEx will endeavor to actively inform you about such amendments.

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