



Rubio's Privacy Notice for California Employees

Effective Date: January 1, 2020

Last Reviewed on: November 9, 2020

This Privacy Notice for California Employees (the “**California Notice**”) supplements other privacy notices Rubio’s may publish and applies solely to all job applicants to, employees of, officers of, and contractors of Rubio’s who reside in the State of California (“**consumers**” or “**you**”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (“**CCPA**”) and any terms defined in the CCPA have the same meaning when used in this notice.

Information We Collect

Within the context of your role as an employee or prospective employee, we collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“**personal information**”). In particular, we have collected the following categories of personal information from employees or prospective employees within the past twelve (12) months:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address (when you access our network resources), email address, username, Social Security number, or other similar identifiers. If provided by you as proof of eligibility to work or as part of your business travel profile, driver’s license number and passport number.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, insurance policy number, education, employment, employment history, bank account number, credit card number, or health insurance information. If provided by you as proof of eligibility to work or as part of your business travel profile: passport number, driver’s license or state identification card number. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental	YES. We collect your birthdate as part of your employment record and/or

under California or federal law.	disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status.	to verify your eligibility to work. For all other types of personal information, we do not require that you provide this and only collect this if you choose to provide this information.
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES. For Rubio's related purchases.
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
F. Internet or other similar network activity.	Browsing history, search history, information on your interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	NO
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	YES
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
 - 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 (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994; and
 - personal information reflecting a communication between you as an employee, owner, director, officer, or contractor of Rubio's and a third party, when used within the context of that third party providing a product or service to Rubio's.

Rubio's obtains the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete when applying for a job or as part of the onboarding process.
- Indirectly from you. For example, from observing your actions when you use or interact with our information technology resources and facilities.
- From third parties, such as information disclosed in background checks (including criminal convictions), drug testing (if permitted in your jurisdiction and taken by you) and any information that is disclosed by your former employers, educational institutions, and other references you list on your application materials or that are referred to us.
- By us, when we create it during the course of your employment.

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:

- recruiting;
- delivering pay and benefits;
- managing our workforce and your career;
- delivering training programs, and measuring and recording the results of training;
- administering employee benefits, such as insurance benefits;
- communicating with Rubio's personnel;
- maintaining information about your work history, work performance, and disciplinary actions;
- to run and manage business operations, including to schedule work, manage the business organization, business assets, travel and expense reimbursement, managing corporate credit cards

and card payment history, maintaining corporate contact directories and organizational charts, managing and storing records;

- processing IT infrastructure, including email, internet, social media systems, and file shares;
- maintaining the security and safety of our facilities, personnel, and other assets, including to authenticate personnel to access Rubio's IT resources and facilities;
- to conduct screening and background and compliance checks before and during your employment at Rubio's and maintaining records on such screening and checks;
- providing employment programs such as on-site health services, company cars, pension schemes, stock options, and other similar benefits;
- to comply with legal requirements, including to report accidents, salary, and tax information to regulatory authorities;
- to respond to law enforcement requests and as required by applicable law, court order, or governmental regulations;
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Rubio's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Rubio's about our Website users is among the assets transferred;
- Detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity; and
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.

Rubio's will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Sharing Personal Information

Rubio's may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We may share your personal information with the following categories of third parties:

- Service providers, such as payroll processors and other organizations we use to maintain our employment and training records;
- Affiliates, parents, and subsidiary organizations of Rubio's;
- Benefits providers, such as health insurance and retirement providers;
- Governmental authorities, such as state, local, and federal tax, employment, and occupational safety authorities;
- Security personnel used to protect our assets and facilities;
- To third parties involved in a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Rubio's assets.

Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, Company 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 (for statistical reporting purposes only and/or Rubio's diversity initiatives)

Category D: Commercial Information

Category F: Internet or other similar network activity.

Category H: Sensory data.

Category I: Professional or employment-related information.

Category J: Non-public education information.

Category K: Inferences drawn from other personal information.

We disclose your personal information for a business purpose to the following categories of third parties:

- Service providers;
- Affiliates, parents, and subsidiary organizations of Rubio's;
- Benefits providers;
- Governmental authorities, such as state, local, and federal tax, employment, and occupational safety authorities;
- Security personnel used to protect our assets and facilities;
- To third parties involved in a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Rubio's assets.

Sales of Personal Information

We do not sell your personal information (as the term "sale" is defined in the CCPA).

Changes to Our Privacy Notice

Rubio's 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 you regarding updated notice through Rubio's communication channels, including through email or paper notices.

Contact Information

If you have any questions or comments about this notice and the ways in which Rubio's collects and uses your information described above, please do not hesitate to contact us through your local restaurant manager or the People Services Department.