

# Alstom Data Privacy Employee Notice



## Ethics & Compliance Data Privacy

## Alstom Data Privacy Employee Notice

Alstom pays due attention to the protection of your personal data, *i.e.*, any information that identifies or could identify you directly or indirectly.

This Data Privacy Employee Notice gives you an overall view of the Alstom Group rules and practices with respect to collecting, processing, using, modifying, reviewing, recording, storing, disclosing, and deleting the personal data Alstom collects as part of its **Human Resources activities as an employer (“HR Activities”)**.

This Data Privacy Employee Notice describes Alstom’s efforts to be compliant with the European General Data Protection Regulation 2016/679 of 27 April 2016 (the “**EU GDPR**”) and any applicable national data protection laws.

### Purposes and Legal Basis for the Processing

As your employer, Alstom collects only the personal data which are necessary for **employment-related purposes for its HR Activities**, from the performance of the employment contract between Alstom and you, including discharge of obligations laid down by law or by collective agreements, management, planning and organisation of employment, equality and diversity in the workplace, health and safety at work, exercise and enjoyment, on an individual or collective basis, of rights and benefits related to employment to the termination of the employment relationship.

These purposes are related to Alstom’s HR Talent Management activity, which refers to Alstom’s ability to identify and develop the full potential of employees, foster engagement and boost performance to reach Alstom’s goals.

As a primary legal basis, the processing of your personal data is necessary for the transparent **legitimate interests** pursued by Alstom as your employer in this employment process. Alstom ensures that its legitimate interests do not override your interests or fundamental rights and freedoms, taking into consideration your reasonable expectations based on your employment relationship with Alstom.

Personal data processing is also necessary to comply with Alstom’s **legal obligation**, for the performance of the **employment contract** between Alstom and you, and/or with your consent, if any, including *inter alia* for the following HR Activities:

- employees/personnel management,
- employment contract management (including declaration of conflict of interests, employment contract end),
- health, occupational medicine, welfare, and safety programs,
- performance evaluations,
- modifications of employment status, expatriation, internal mobility,
- payroll, tax and social charges management (including time & attendance, sick leaves),
- annual salary review and bonus schemes,
- profit sharing arrangements,
- compensation & benefits, pension plans,
- learning and career development,
- disciplinary actions,
- business travel expenses, insurance travel programs,
- compliance management and prevention of fraud,

- onsite activities, including site access, cafeteria/restaurant, video surveillance CCTV, management of company cars, and employee IT tools,
- relation with works councils/employee and trade union representatives.

### **Collection and Processing of Personal Data**

The personal data may include *inter alia* the following types of information about you:

- first name, last name,
- personal address,
- phone number,
- email address,
- date and place of birth,
- nationality,
- national identification number, passport or ID card number, social security number, national tax number,
- immigration, right to work and residence status (if applicable),
- bank account details (for payroll purposes),
- family status and emergency contact details,
- CV/Résumé,
- diplomas,
- cover letters,
- employment references (with your consent),
- employment and education history,
- feedback results,
- background check (for compliance purposes),
- photos (with your consent).

Alstom provides equal opportunities to all employees for employment, without regard to special or sensitive personal data (e.g., data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, data concerning health or sex life or sexual orientation). This being said, when required for your job position and/or when required by applicable national laws, some special or sensitive data, such as racial or ethnic origin, criminal checks, and data concerning health, may be collected by Alstom in its employment activity. Alstom does not collect data revealing political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, sex life or sexual orientation, except with your consent, and/or if required by law.

Where your personal data are required in order to perform your employment contract with Alstom, you are required to provide Alstom with additional personal data. Should you decide not to provide us with such personal data, Alstom may not be able to perform your employment contract.

The collection, use, and transfer of the personal data may be made through automated, electronic, and/or paper-based means. Alstom generally does not make any HR decisions based solely on automated individual decision-making, including profiling. Should this be the case, Alstom will implement appropriate technical and organisational measures in order to ensure an adequate level of protection to your personal data.

## Recipients and Disclosures

As a multinational group, Alstom has a **legitimate interest** in transmitting your personal data within the Alstom Group, to affiliates/subsidiaries located all around the world, for HR purposes related to the employment context (e.g., for internal administrative purposes). Alstom may also disclose your personal data to a trusted partner, supplier, subcontractor, data processor, other third party or an administration to the extent necessary to comply with Alstom's transparent legitimate interests pursued by Alstom as your employer, to comply with its legal obligations, or for the performance of your employment contract.

Internally, the access to your personal data is limited to the HR department, the Site Security department and any other departments having a strict need to know (employee and trade union representatives, works councils). This access is regularly reviewed by Ethics & Compliance Data Privacy to ensure the compliance of Alstom with applicable laws.

## International Transfers

Your personal data are, as a general rule, processed and stored in the European Economic Area (the "EEA"). In cases where they are processed and/or stored outside the EEA, **appropriate safeguards** compliant with Alstom's legal obligations will be implemented as required by law.

Indeed, as a multinational group, Alstom has a legitimate interest in transmitting your personal data within the Alstom Group, to affiliates/subsidiaries located all around the world. Alstom may also need to outsource some services to external service providers located outside the EEA. These countries potentially do not have an adequate level of data protection compared to the level of data protection within the EEA. As a rule, your data shall not be disclosed to third countries which do not have adequate data protection unless **appropriate safeguards** are duly implemented between Alstom and the third party (e.g., such as European Standard Contractual Clauses). Only the personal data that are strictly necessary to the affiliate/subsidiary or service provider will be transferred, and if required, via encrypted means.

## Accuracy

Alstom takes reasonable steps to ensure that the personal data you provide are recorded in a manner that ensures accuracy and completeness. To help us with this activity, you must inform your *HR Manager* of any changes relating to you.

## Security

Alstom is committed to the protection of your personal data by protecting them in particular against unauthorised or unlawful processing and against accidental loss, destruction, alteration or damage. **Appropriate technical and organisational measures** are in place to protect the information systems and the storage area where your personal data are stored. Alstom requires its service providers, by appropriate safeguards (including contractual means), to have similar standards of protection.

## Retention and Period of Storage

Your personal data are retained only for the time necessary to achieve the purpose for which it was collected and for any required or permitted period under applicable laws.

Your Employee Profile and HR File will be kept by Alstom until the end of your employment contract, with some personal data being archived for a longer period where required by law or for the establishment, exercise or defence of legal claims.

## Your Rights as an Employee

Pursuant to the EU GDPR and applicable national data protection laws, you have the **right to be informed** of your rights as an Employee.

You can exercise your rights as specified below, provided that Alstom is in a position to identify you. Also, your request must be reasonable, which means that it may be denied when it is manifestly unfounded or excessive (e.g., repetitive character of your requests).

Subject to the above paragraph, you will find below the summary of your rights:

- **Right of Access**

You have the right to ask for information about the processing of your personal data and/or for copies of your personal data. Your request may be denied to protect another individual's rights.

- **Right to Rectification**

You have the right to ask for rectification of personal data you think is inaccurate and to ask Alstom to complete information you think is incomplete.

- **Right to Erasure ("Right to be forgotten")**

Your right to erasure is not absolute, *i.e.*, you have the right to ask Alstom to erase your personal information in certain circumstances, which are the following: (i) Alstom no longer needs your personal data, (ii) you initially consented to the use of your personal data, but have now withdrawn your consent, (iii) you have objected to the use of your personal data, and your interests outweigh those of Alstom, (iv) Alstom would have processed your personal data unlawfully, (v) Alstom would have a legal obligation to erase your personal data. Alstom shall deny your request (i) when the processing of your personal data is necessary for compliance with a legal obligation or (ii) for the establishment, exercise or defence of legal claims.

- **Right to Restriction of Processing**

Your right to restriction is not absolute, *i.e.*, you have the right to ask Alstom to restrict the processing of your personal data in certain circumstances, which are the following: you can ask Alstom to temporarily limit the use of your personal data when Alstom is considering (i) a challenge you have made to the accuracy of your data, or (ii) an objection you have made to the use of your data. You may also ask Alstom to limit the use of your personal data rather than delete it if (i) Alstom processed your data unlawfully but you do not want it deleted, or (ii) Alstom no longer needs your personal data but you want Alstom to keep it in order to create, exercise or defend legal claims. Alstom may use restricted data for (i) the establishment, exercise or defence of legal claims or (ii) the protection of another individual's rights.

- **Right to Object**

Your right to object is not absolute, *i.e.*, you can only object to processing when Alstom is processing your personal data for Alstom's legitimate interests. You have right to object to such processing that is not (i) required by law or for the establishment, exercise or defence of a legal claim, or (ii) needed by Alstom for compelling recruitment purposes that would override your objection.

▪ **Right to Withdraw your Consent**

Alstom might need your consent in specific cases. In these cases, Alstom would provide you with a way to withdraw your consent as easy as the way you gave consent in the first place.

▪ **Right to Data Portability**

Your right to data portability is not absolute, *i.e.*, you have the right to ask to receive your personal data and/or have Alstom transfer your personal data to another company, where technically feasible, provided that (i) you have given Alstom your consent for the processing or (ii) the processing is necessary of the performance of a contract between you and Alstom or in order to take steps at your request prior to entering into a contract and (iii) the processing is carried out by automated means. Your request may be denied to protect another individual’s rights.

**Alstom Controller**

**ALSTOM Transport SA**, which is a French *société anonyme*, having its registered office in France, at 48 rue Albert Dhalenne, 93400 Saint-Ouen, is the **Controller** for the Group. Alstom’s affiliates/subsidiaries may act as Joint Controllers, depending on the nature of the processing and the autonomy of these entities.

**How to Ask Questions and Exercise your Rights**

If you want to exercise your rights, if you have any questions about this Alstom Data Privacy Employee Notice or if you believe that your personal data is not handled in accordance with the applicable law or this Notice, you can contact your Ethics & Compliance Regional Officer, your Ethics & Compliance Ambassador, the E&C central team, and especially the Ethics & Compliance Officer in charge of Data Privacy ([anne-sophie.ract@alstomgroup.com](mailto:anne-sophie.ract@alstomgroup.com)) or the Chief Compliance Officer ([michael-a.julian@alstomgroup.com](mailto:michael-a.julian@alstomgroup.com)).

When you contact us, Alstom strives to give you full satisfaction when it comes to the protection of your personal data. Nevertheless, should you remain dissatisfied, you are also entitled to contact any competent data protection supervisory authority, such as the CNIL (*Commission Nationale de l’Informatique et des Libertés*) in France.

For more information on Alstom’s global approach to the processing of your personal data, please consult the [Alstom Data Privacy Charter](#).

**Effective Date**

V A – 25 May 2018  
 V B – 6 December 2018

**Reviewed By**

Anne-Sophie Ract  
 Ethics & Compliance Officer - Data Privacy

**Approved by**

Michael Julian  
 Chief Compliance Officer

**Distribution**

The **Alstom Data Privacy Employee Notice** must be communicated to every Alstom employee. It is available on the Alstom Management System (AMS).