



## **CALIFORNIA PRIVACY NOTICE TO EMPLOYEES, CONTRACTORS, AND APPLICANTS**

The California Consumer Privacy Act of 2018, amended by the California Privacy Rights Act (“CCPA”), imposes specific obligations on businesses processing the Personal Information (including “Sensitive Personal Information” as defined by the California Privacy Rights Act) of California residents. Pursuant to the CCPA, Enel North America, Inc. and its affiliates, including Enel X Way USA, LLC and Enel X Advisory Services USA, LLC, (collectively “Enel”, “Company”, “we” or “us”) are required to provide their employees, contractors, and job applicants who are California residents (“California Persons”) a notice at or before the point of collection of such Personal Information that identifies the categories of Personal Information that may be collected and why the Company collects such information, along with other information provided below.

This California Privacy Notice to Employees, Contractors, and Applicants (“Notice”) is intended to provide California Persons with the notice required under the CCPA.

### **1. Updates**

This Notice will be updated at least once every twelve (12) months to reflect changes in our business, legal or regulatory obligations. Please check this Notice periodically for changes by visiting ADP > Resources > Tools/References. The Company will not collect additional categories of your Personal Information or use your Personal Information already collected for additional purposes without providing you with a notice of our intent to do so. Any changes to this Notice will be effective from the date they are communicated to you. If we make any material changes to this Notice, we will notify you by email before such changes are effective.

### **2. Definitions**

2.1 “Personal information” has the meaning as defined in the CCPA and includes information that is collected by the Company about you in the course of employment for employment-related purposes and encompasses any information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with you.

2.2 “Sensitive Personal Information” includes anything that reveals an individual’s Personal Information, including (a) government identifiers (e.g., Social Security Number, driver’s license number, state identification card, and passport number), (b) precise geolocation, (c) racial or ethnic origin, (d) religious and philosophical beliefs, (e) union membership, (f) genetic data, (g) any information related to health, sex life, or sexual orientation, or (h) biometric information for uniquely identifying an individual.



2.3 “Process”, “processed” or “processing” means any operation or set of operations performed on Personal Information, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction of Personal Information.

2.4 “Covered Individuals”, “Covered Individual” or “you” means an identified or identifiable natural person who is a California resident and who is acting as a job applicant, employee, emergency contact, beneficiary, member of the board of directors, or contractor for Enel. In this context “job applicant” refers to any person who has submitted their candidacy with Enel, “employee” refers to any person who is employed at Enel as a full-time or part-time employee or temporary worker, and “contractor” refers to any natural person who provides any service to Enel pursuant to a written contract.

### **3. Personal Information We Collect About You**

Listed below are the categories of Personal Information, including Sensitive Personal Information, that the Company may collect from, and process about, Covered Individuals:

3.1 Identifiers, including real name, alias, postal address, unique personal identifiers, email, account name, social security number, driver’s license number, passport number or other similar identifiers. In this context, a “unique personal identifier” means a persistent identifier that can be used to recognize a Covered Individual, or a device that is linked to a Covered Individual, over time and across different services, including, but not limited to, a device identifier; an Internet Protocol address; cookies, beacons, pixel tags, or similar technology; unique pseudonym, or user alias; telephone numbers, or other forms of persistent or probabilistic identifiers.

3.2 Characteristics of Protected Classifications Under California or Federal Law<sup>1</sup>, including the following: race, skin color, national origin, religion (includes religious dress and grooming practices), sex/gender (includes pregnancy, childbirth, breastfeeding and/or related medical conditions), gender identity, gender expression, sexual orientation, marital status, medical condition (such as genetic characteristics, cancer or a record or history of cancer), disability (such as mental and physical including HIV/AIDS, or cancer), military or veteran status, request for family care leave, request for leave for a Covered Individual’s own serious health condition, request for pregnancy disability leave, and age.

3.3 Internet or Other Electronic Network Activity Information, including browsing history, search history, application access location and information regarding a Covered

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<sup>1</sup> Enel collects this information on a purely voluntary basis except where collection is required by law. Enel only uses this information in compliance with applicable laws and regulations.



Individual's interaction with an internet website, application or advertisement, time and geolocation data related to use of an internet website, and application or physical access to an office location.

3.4 Surveillance Data (e.g. video surveillance footage).

3.5 Professional or Employment-related Information, including job related data, maintained as part of the employment relationship that is present in: a job application or resume; an employment contract; a performance review; a disciplinary record; photos; biometric data, including voice recordings; information from a Covered Individual's expenses; browsing and search history; payroll and benefits related data; internal and external contact information; or information captured from video, audio, systems, or other forms of monitoring or surveillance.

3.6 Education Information, including information about a Covered Individual's educational background, such as education records, report cards, and transcripts, which is not publicly available.

3.7 Profile Data and Inferences, including any information drawn from any of the Personal Information categories referenced above to create a profile about a Covered Individual reflecting the Covered Individual's characteristics, psychological trends, preferences, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

3.8 Miscellaneous (e.g., information regarding your relative(s) employed by Enel).

#### **4. Purposes for Collecting Your Personal Information**

The Company does not sell, or make any profit from, the collection of the Personal Information of Covered Individuals. However, the Company does share Personal Information with its service providers to achieve the purposes described within the Notice in which case appropriate restrictions are in place to ensure that the Personal Information is only used for employment-related purposes as detailed in this Notice. By applying with the Company, you consent to our collection and maintenance of such Personal Information. The Company collects the Personal Information identified in section 3 above for the reasons listed below:

- To communicate with you.
- To recruit Covered Individuals, including to conduct employment-related background screening and checks, and to evaluate qualifications for employment and the position.
- To create a talent pool for future job openings and succession.
- To comply with federal and state law relating to accommodation.
- To administer benefits, such as medical, dental, optical, commuter, and retirement benefits, including recording and processing eligibility of dependents, and absence and leave monitoring.



- To pay and reimburse for expenses, including salary administration, payroll management, payment of expenses; and to administer other compensation-related payments, including assigning amounts of bonus payments to individuals, and payment of merit increases, bonuses and commissions.
- To conduct performance reviews, including performance appraisals, career planning, skills monitoring, job moves, promotions and staff restructuring.
- To monitor work-related licenses and credentials, including provisioning software licenses for use in the course of a Covered Individual's work-related responsibilities, ensuring compliance, training, examination and other requirements are met with applicable regulatory bodies.
- To provide Covered Individuals with Human Resources Management services, including providing employee data maintenance and support services, administration of separation of employment, approvals and authorization procedures, administration and handling of employee claims, and travel administration.
- To perform recordkeeping activities.
- To manage personnel and employment matters, including setting up a personnel file.
- To demonstrate your agreement to documents presented to you.
- To maintain internal employee directories and organizational charts.
- To administer international assignments, including relocation services, documenting assignment terms and conditions, obtaining relevant immigration documents, initiating vendor services, fulfilling home/host country tax administration and filing obligations, and addressing health requirements.
- To maintain your contact information, including altering your details across relevant entities within Enel's group of companies (for example personal, other employment and transferring roles).
- To assist you in case of emergency, including maintenance of contact details for you, and your dependents in case of personal or business emergency.
- To conduct internal audits and inspections.
- To address potential conflicts of interests.
- To perform analyses relating to diversity and inclusion.
- To protect the safety and security of Enel's facilities and personnel.
- To perform operational activities relating to Enel's facilities and business.
- To conduct a direct threat analysis in accordance with the Americans with Disabilities Act.
- To manage mergers, acquisitions, sales, reorganizations and integration with business partners.
- To comply with legal obligations and reporting requirements under state and federal law.
- To monitor eligibility to work in the U.S., which means monitoring and ensuring compliance of Covered Individuals' ability to work in the U.S.



- To conduct healthcare-related services, including conducting pre-employment and employment-related medical screenings for return-to-work processes and medical case management needs; determining medical suitability for particular tasks; identifying health needs of Covered Individuals to plan and provide appropriate services, including operation of sickness policies and procedures.
- To facilitate a better working environment, which includes conducting staff surveys, providing senior management information about other employees, and conducting training.
- To ensure a safe and efficient working environment, which includes the Company's actions relating to disciplinary actions, and code of conduct processes and investigations.
- To maintain security on the Company's Websites and Internet Connected Assets, which includes hosting and maintenance of computer systems and infrastructure; management of the Company's software and hardware computer assets; systems testing, such as development of new systems and end-user testing of computer systems; training; and monitoring email and Internet access.
- To perform any other security, monitoring, and compliance activities as permitted by law.
- To comply with applicable law or regulatory requirements, such as legal (state and federal) and internal company reporting obligations, including headcount, management information, demographic and Health, Safety, Security and Environmental reporting, and to address civil, criminal, judicial or regulatory inquiries, investigations, or subpoenas.
- To exercise or defend Enel's legal rights or the legal rights of its employees, affiliates, contractors, or agents.

## **5. Notice of Rights**

Covered Individuals are entitled to know what Personal Information the Company collects and have the following rights:

- Delete or correct Personal Information (unless the Company is legally required to keep such information);
- Opt out of the sale or sharing of Personal Information;
- Limit the use or disclosure of Sensitive Personal Information; and
- Right to know if Personal Information is sold or disclosed; the categories of Personal Information collected and the source; and the specific pieces of Personal Information, the business and commercial purpose, and the categories of third parties to whom Personal Information is shared (if applicable); and the categories of Personal Information that the business sells or discloses to third parties.



Further, to the extent that Covered Individuals are not able to exercise these rights, they should contact the Company as detailed in section 7 below. Enel does not discriminate or tolerate any forms of retaliation as a result of a Covered Individual's decision to exercise the above-referenced rights. Covered Individuals have the right not to experience any discrimination for exercising CCPA rights.

## **6. Time Period**

The Company maintains the information identified in section 3 for at least the duration of your employment and/or contract with the Company, in addition to additional years beyond separation as required by law. You may request a copy of your personnel file during your employment with the Company.

## **7. Further Information**

If you have any questions about this Notice or would like to submit requests pursuant to the CCPA, please call the toll-free number at +1 (800) 359-6615 or email [dataprotectionoffice-northamerica@enel.com](mailto:dataprotectionoffice-northamerica@enel.com).

## **8. Assistance for Disabled Applicants and/or Employees**

Alternative formats of this Notice are available to individuals with a disability. Please contact [EnelApplications@enel.com](mailto:EnelApplications@enel.com) for assistance.

For job applicants, if you have any questions regarding this Notice, please contact [EnelApplications@enel.com](mailto:EnelApplications@enel.com).

*Effective September 2023*