

SunPower Applicant Privacy Notice (Canada)

Last Updated: July 1, 2022

You are applying for work with SunPower Energy Systems Canada Corporation, which is a Canadian corporation with offices in British Columbia, and which is a subsidiary of SunPower Corporation (an American company headquartered at 51 Rio Robles, San Jose, California 95134). This Applicant Privacy Notice (“Notice”) tells you how SunPower Energy Systems Canada Corporation and its affiliates (“SunPower,” “we,” or “us”) collect, use and share personal information as part of the recruitment process and the rights available to you. This Notice also describes the measures SunPower takes to protect the data you submit, and how you can contact SunPower.

By submitting your application and information using our online system, you acknowledge that your personal information will be handled in accordance with this Notice.

1. THE INFORMATION WE COLLECT

a. Categories

During the recruitment process, SunPower may collect the following categories of information about you and may share that information as set forth below:

Category of Personal Information	How it is used	Shared
Contact Information: such as your name, home and work address, personal and work telephone numbers, personal and work email addresses.	We will use this information to open and maintain your candidate record until you close it (subject to Section 6 below) and to communicate with you regarding your interest in any job opportunities with us, your application for employment, or any updates on your candidacy for any jobs to which you have applied.	To service providers. We do not sell this information.
Job-related information and qualifications: such as position applied for, previous employment, education, language skills or proficiency, licenses, salary and compensation, and other information contained on your resume, CV, cover	We will use this information to determine your suitability for a position and for conflicts of interests and any anti-corruption reviews and reporting.	To service providers. We do not sell this information.

<p>letter, or in applications you submit to us.</p>		
<p>Identifiers: such as social insurance number, passport number, work visa number, driver’s license number, Health Insurance number.</p>	<p>We will use this information during the recruitment process to validate your identity and ability to work in the applicable jurisdiction, to arrange travel if that is necessary, to conduct background checks, where applicable (and with your consent, which shall be evidenced by written, electronic, or recorded means).</p> <p>If hired and employed by us, we will also use this information to comply with our legal obligations as an employer, including, without limitation, the withholding of income taxes on compensation and the remittance of government-mandated benefits and contributions to social security and other government agencies.</p> <p>Upon the termination of your contract with us (subject to Section 6 below), we will also process this information to update our records with social security and other government agencies.</p>	<p>To service providers and government authorities where required by law. We do not sell this information.</p>
<p>Travel-related records: frequent flyer numbers, itineraries, flight, train, rental car, car service, hotel or similar information.</p>	<p>We will use this information to arrange or reimburse travel where you are required to travel to or from interviews with us or in connection with an emergency.</p>	<p>To service providers. We do not sell this information.</p>

<p>Results of background checks and screenings: such as driving history checks, criminal record checks, financial checks, work history and educational verifications.</p>	<p>We will use this, along with other information, to determine your suitability for certain job roles (to the extent permitted or required by law) and to scope the access you may have to certain systems or information in our environment when hired.</p>	<p>To service providers. We do not sell this information.</p>
<p>References: such as opinions and comments of any previous employers or individuals you identify as personal or professional references.</p> <p>You must have the consent of the individual you identify as a reference to provide this information to us. By providing a reference, you are confirming that you have obtained such consent, which should be evidenced by written, electronic, or recorded means.</p>	<p>We will use this to determine your suitability for certain job roles and to verify employment history, references and referrals.</p>	<p>To service providers. We do not sell this information.</p>
<p>Equal opportunity reporting information: such as information you voluntarily disclose about your ethnicity, race, religion, veteran status, disability status, and/or sexual orientation.</p>	<p>We will use this to conduct equal opportunity and diversity monitoring and reporting, where permitted or required by law, including in connection with our employment-based diversity initiatives. This information is voluntary and is not considered as part of the hiring process.</p> <p>Information relating to disability or religion may be collected from you voluntarily where you are requesting a disability or religious-based accommodation.</p>	<p>To service providers and governmental authorities where required by law. We do not sell this information.</p>

b. Specific Information

In addition to the information set forth above, we collect certain personal information from and about you as part of the recruitment process to evaluate your suitability for certain employment opportunities and to make hiring decisions.

- Details regarding how you heard about the position for which you are applying;
- Information about previous applications you submitted to SunPower or any previous work with our company;
- Technical information about your interactions with our systems, including profiles you may establish, log-in information, credentials or passwords you create, or other such information;
- Information about you, such as personal preferences, hobbies, social preferences, contained in any documents or materials you transmit to us relating to your application, including communications, resumes, CVs or writing samples;
- As part of the application process, personal information about you may be collected from third parties, for example, in connection with a background check or employment confirmation, and/or employment references, where permitted by applicable law and/or where you have given your consent to such collection.

Please note, if you include the personal information of a reference or any other individual as part of your application, it is your responsibility to obtain prior consent from that individual. To ensure compliance, we may require you to present to us the document evidencing such third party's consent.

Sensitive Personal Information

All personal information is potentially sensitive. However, we recognize the following classes of personal information as being distinctly sensitive: (A) data that reveals an individual's racial or ethnic origin, religious or philosophical beliefs, health information, disability status, veteran status, or union membership; as well as (B) data about (i) an individual's education, genetic, or sexual life, (ii) any proceeding (including the status and disposal thereof and any courts' decision thereon) relating to any offense committed or alleged to have been committed by an individual, and (iii) an individual's records with any government agencies (such as identifiers provided in Section 1(a) and tax returns). To the extent that you provide us with such (or similar) sensitive personal information, it will be handled by us in accordance with this Notice and applicable law, and we further reserve the right to delete such information from our databases (subject to Section 6 below).

SunPower may also collect the following types of sensitive personal information in connection with an application for employment:

- In connection with COVID-19 safety measures, including vaccination requirements at our job locations, should you be given a conditional job offer, and where allowed by law, you may be asked your vaccination status. In the event your hiring process includes in-person interviews,

you may also be asked about your vaccination status and/or may be required to complete a pre-screen form to enter into SunPower's facilities.

- Where allowed by law, you may be asked to complete a drug screen or medical examination. Any sensitive data derived from such examinations are only processed with your explicit prior and recorded consent.

2. HOW WE OBTAIN PERSONAL INFORMATION

SunPower collects most of this personal information (including sensitive personal information) directly from you, including through its employment application submission platforms, email, and interviews.

Your provision of personal information (including sensitive personal information) in connection with an online job application through our SunPower Career Site is voluntary. You determine the extent to which you provide information via this online tool. Should you decide not to provide information, it may affect the consideration of your employment, unless our receipt of such information is prohibited by applicable law.

During the recruitment process, we also collect personal information about you from third parties, such as recruitment agencies, references supplied by individuals you identify, including former employers, and service providers who assist us in the recruitment process, such as companies providing background screenings or employment verifications, provided that you have given your consent to such method of collection and processing.

To the extent permitted by applicable law, during the recruitment process, we may also collect personal information about you from publicly available sources, such as LinkedIn, if you choose to make such information viewable by us.

3. HOW WE USE THE INFORMATION WE COLLECT

SunPower uses your personal information (including sensitive personal information) as explained in Section 1 above and when it has a legal basis to do so under the law. SunPower uses your personal information (including sensitive personal information) to potentially enter into an employment contract or relationship with you, including for the following reasons:

- Recruitment, evaluation and selection of job applicants for the positions to which you have applied;
- The review of your application and suitability for employment;
- To respond to your inquiries or communicate with you about your job application, the recruitment process, and if you select, to keep you apprised of job opportunities that may be of interest to you;
- To verify your identity and employment eligibility;
- To verify employment references and referrals; and

- If you are selected for a position, as part of the new-hire process, which includes being incorporated into your employee file, onboarding, the provision of all employee-related services and benefits and any other employment-related purpose.

SunPower also processes your personal information (including sensitive personal information) where we have a legitimate interest or legal obligation to do so, including for the following reasons:

- The establishment and maintenance of applicant profiles in application submission sites or systems and to maintain information about the jobs to which you have applied;
- General human resources management and administration;
- To comply with or monitor our compliance with any applicable law or regulation, including those around diversity and inclusion, where applicable;
- To manage record-keeping and reporting obligations in connection with our applicant pool;
- If you are offered a position, to conduct criminal, medical and credit background checks (if and to the extent necessary with respect to the respective function of the employee); and
- SunPower's administrative purposes and as generally needed to conduct our business within our affiliated companies, such as to provide benefits or transfer you to new work locations.

SunPower processes your personal information (including sensitive personal information) when we have your consent. This includes:

- To collect data such as race, ethnicity or gender as part of our equal employment efforts; and
- To conduct background checks in connection with your potential role at SunPower and as may be permitted by applicable law.

4. WHO HAS ACCESS TO YOUR PERSONAL INFORMATION

Your personal information (including sensitive personal information) will be stored in SunPower's centralized systems located in Canada and/or the USA. These computer systems may be accessed by SunPower and its affiliated companies and third-party service providers for the purposes set out in this Notice, which may be located in other jurisdictions (aside from Canada and the USA).

Due to the nature of "Cloud" data storage and transmission, it is possible that some of your personal information may be retained or used in countries, including the USA, where privacy laws may offer different levels of protection from those in Canada and while SunPower takes all reasonable measures to protect personal information, it may be subject to access by and disclosure to law enforcement agencies in those foreign jurisdictions.

We only share your personal information (including sensitive personal information) on a need-to-know basis with our affiliates, trusted third parties, or in other instances, e.g. where required by law, as further explained below:

- **Within SunPower** – Your personal information (including sensitive personal information) will be shared within SunPower, including with members of the Human Resources (“HR”) and recruitment teams, interviewers involved in the recruitment process, managers in the business area with a vacancy and Information Technology (“IT”) staff, if access to this information is necessary to perform their duties. Some of these individuals may be located in different jurisdictions, and as such, your personal information may be shared globally.
- **Third-Party Service Providers** – We may also share your personal information (including sensitive personal information) with third parties who provide services related to the recruitment process, which includes authorized recruitment firms, background services, and parties maintaining our HR or recruiting systems or sites. Some of these service providers may be located in different jurisdictions, and as such, your personal information may be shared globally. These service providers will be required to use appropriate measures to protect the confidentiality of personal information, as explained in the “Transfers of Your Personal Information” section below.
- **As Required by Law** – We will share your personal information (including sensitive personal information) to comply with legal obligations, including to respond to a lawful governmental request, order or judicially sanctioned document, e.g., a court order or subpoena, and if applicable, to comply with our legal obligations as an employer.
- **Consent** – We will share your personal information (including sensitive personal information) where you have provided consent.
- **Our Legal Interests** – We may also disclose your personal information (including sensitive personal information) to protect against fraud or to protect our contractual, property or other rights, and as required in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business assets (e.g., in connection with any bankruptcy proceeding).

We do not collect or compile personal information (including sensitive personal information) for dissemination or sale to third parties for consumer marketing purposes.

5. TRANSFERS OF YOUR PERSONAL INFORMATION

SunPower shares your personal information with our affiliates and third party service providers that are involved in evaluating candidates and supporting the recruiting and HR process. These affiliates and third party service providers may be located outside of your country of residence, and may be located outside Canada and the USA.

6. HOW LONG WE RETAIN YOUR INFORMATION AND THE DISPOSAL THEREOF

We retain personal information for the period necessary to fulfill the purposes outlined in this Notice. We determine our retention periods based on one or more of the following criteria: whether we have an ongoing relationship with you and as required by law or our legal interests and positions, which may include statutes of limitation, lawsuits, public disclosures, audits or investigations. Unless you delete (or require us to delete) your personal information (including sensitive personal information), we will retain it for a minimum of 12 months from your last update (but such deletion requests and our 12-month minimum retention period are subject to applicable law).

If you are selected for a position with SunPower, we may retain your personal information at least during the term of your employment (and extended by applicable statutes of limitation and applicable statutory retention obligations).

Even if you are not selected for the position for which you applied or if you did not apply for a specific position, we may with your consent retain your personal information (including sensitive personal information) to consider whether your skills may be suitable for other job opportunities (and may send you job opportunities that meet criteria you preselect). Otherwise, subject to applicable laws, your personal information (including sensitive personal information) will be retained for a minimum of 12 months from your last update and may be extended for applicable statutes of limitation and to allow us to comply with applicable statutory data retention obligations.

Information relating to background checks is retained for at least 4 years, subject to applicable laws.

Unless retention for a longer period is required as described above, your personal information (including sensitive personal information) shall, upon the termination of the recruitment process or the termination of your contract with us (as the case may be), be disposed of in accordance with applicable laws and regulations. When deleting personal information and sensitive personal information, we will take reasonable measures to make the personal information (including sensitive personal information) irrecoverable. The manner of deletion will depend on the form in which such information was stored and where the information was stored. Electronic files containing personal information (including sensitive personal information) will be deleted using technical measures that prevent recovery and retrieval. Non-electronic documents or files will be destroyed.

7. SECURITY

We will take and will also require third parties with access to your personal information (including sensitive personal information) to take, appropriate administrative, physical, procedural, organizational and technical security measures to protect your personal information and sensitive personal information from loss, misuse, unauthorized access, disclosure, or modification and to ensure the confidentiality thereof. We address information security in a manner that is consistent with applicable data protection laws and regulations.

Where we have given you (or where you have chosen) a password, which enables you to access a recruiting system, you are solely responsible for keeping this password confidential and for complying with any other security procedures that we notify you of. We ask you not to share a password with anyone. You have the ability to control and select the privacy settings within our recruiting system, and you are responsible to ensure that settings reflect your personal preferences.

Although we endeavor to protect the security and integrity of the personal information we collect, we cannot guarantee or warrant that any information, during transmission through the Internet or while stored on our system or otherwise in our care, is 100% secure from intrusion by others. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us of the problem by contacting us using the information in the “Contact Us” section below.

8. PRIVACY NOTICE CHANGES

This Notice is not, nor is it intended to be, a contract. Accordingly, SunPower, in its sole and absolute discretion, may amend, interpret, modify or withdraw any portion of this and related practices in accordance with applicable law. We will post an updated Privacy Notice with its effective date on this page. Any changes in this Notice will apply to all personal information (including sensitive personal information) in our possession regardless of whether such personal information and sensitive personal information was obtained before or after any such Notice change. We will notify you about material changes to this Privacy Notice in accordance with and if required by applicable laws. If you need clarification regarding any aspect of this Notice, please contact us at the information provided in “Contact Us” section below.

This Notice, and any amendments to it, are intended to comply with applicable laws. To the extent there is a conflict between the Notice and applicable local law, the latter shall prevail and be incorporated herein in respect of the conflicting term.

9. YOUR RIGHTS AND CHOICES

You have many options regarding the personal information (including sensitive personal information) that you provide to us in connection with a job opportunity. To the extent permitted by applicable law, you can:

- **Access** – ask to see the personal information (including sensitive personal information) we hold about you or obtain access to information on the processing of your personal information and sensitive personal information. We may validate your identity and access rights.
- **Correction or Deletion of Personal Information and Sensitive Personal Information** – request correction or deletion your personal information (including sensitive personal information), particularly if its inaccurate. SunPower reserves the right not to change or delete personal information (including sensitive personal information) it considers to be accurate or otherwise necessary to be maintained, for example, to comply with its legal obligations.
- **Withdrawal of Consent** – withdraw your consent for the processing of your personal information (including sensitive personal information) at any time, which will not affect the lawfulness of the processing before your consent was withdrawn.

In addition to the above-discussed rights, you have the right to (but subject to applicable laws):

- Be informed of the processing of your personal information (including sensitive personal information);
- Object to the processing of your personal information (including sensitive personal information);
- Suspend, withdraw or order the blocking, removal or destruction of personal information (including sensitive personal information) from SunPower’s (and its affiliates’ or third party service providers’) filing systems upon discovery and substantial proof that the personal information (including sensitive personal information) are (i) incomplete, outdated, false, or unlawfully obtained, (ii) used for unauthorized purposes, (iii) no longer necessary for the

purposes for which they were collected, or (iv) prejudicial to you, unless justified by freedom of speech, expression, the press, or otherwise authorized;

- Be indemnified for any damages sustained due to inaccurate, incomplete, outdated, false, unlawfully obtained, or unauthorized use of your personal information (including sensitive personal information);
- Obtain a copy of your personal information (including sensitive personal information) if kept in an electronic or structured format;
- File a complaint with an applicable Privacy Commission, if you believe that your statutory privacy rights have been violated.

10. MINORS

Except where permitted by local law, the SunPower Career Site Site is not intended for individuals under the age of 18. Such individuals are prohibited from providing personal information (including sensitive personal information) to us.

11. CONTACT US

If you wish to contact us, including to exercise your rights as a data subject or have any other data privacy concerns, please contact us at the following addresses and include your name, address and email address in your correspondence to us:

SunPower Customer Service
SunPower Data Protection Officer
Telephone: 800-786-7693
Email: customercare@sunpower.com

CONSENT

[Before the applicant is able to submit his or her resume/CV or fill out an application, she/he should be led to a screen or pop up that reads as follows]

Please read this Privacy Notice for Job Applicants (“Notice”) carefully and indicate your acknowledgement of our collection, retention, use, transfer, disclosure, and other means of processing of your personal information and sensitive personal information as described in this Notice by clicking the “Yes”.

- Yes**, I have read the Notice and acknowledge that the personal information (including sensitive personal information) I provide when applying for a position will be processed and protected in accordance with our Notice. To the extent applicable, I represent, warrant, and covenant that, before providing SunPower with the personal information (including sensitive personal information) of any other person (e.g., third party references), I have obtained their consent: (a) to collect their personal and sensitive personal information; (b) to share said personal and sensitive personal information with SunPower and its affiliates and third party service providers, and (c) for the processing of their personal and sensitive personal information by SunPower and its affiliates and third party service providers.