

<b>TIFFANY &amp; Co.</b> and CERTAIN AFFILIATED COMPANIES <b>PROCEDURE BULLETIN</b> <b>NUMBER</b>	SUBJECT: HR Privacy and Data Protection Policy (EU, UK and Switzerland)
	DEPARTMENT: Executive
	DATE: February 18, 2021
	ISSUED BY: Senior Vice President – General Counsel

## HR Privacy and Data Protection Policy (EU, UK and Switzerland)

### 1. Overview

This Policy describes the Processing by the Company of Personal Data of Employees and Job Applicants in the European Union, United Kingdom and Switzerland. For the purposes of this Policy, “Employee” includes temporary workers, interns, and other non-permanent employees of the Company.

### 2. Definitions

**“Company”**: Subsidiaries and affiliates of Tiffany & Co. operating in in the European Union, United Kingdom and Switzerland.

**“Personal Data”**: Any information relating to an identified individual or an individual who may be identified, directly or indirectly, by reference to one or more of the following factors: Name, postal address, email address, telephone number, date of birth, national identification number, driver’s license number, bank account number, credit or debit card number, identification number, any other unique identifier or one or more factors specific to an individual’s physical, physiological, mental, economic, cultural or social identity.

**“Process or Processing”**: Any operation that is performed on Personal Data, whether or not by automatic means, such as collecting, recording, structuring, accessing, organizing, storing, adapting, altering, retrieving, consulting, using, disclosing by transmission, dissemination or otherwise making available, deleting, combining, restricting or destructing Personal Data.

**“Sensitive Data”**: Personal Data revealing racial or ethnic origin, political opinions, religious or other similar beliefs, trade union membership, physical or mental health or condition, sex life or sexual orientation, genetic data, biometric data, data relating to criminal convictions and offences.

### 3. Responsibilities

3.1. The Tiffany & Co. affiliate that employs or retains the services of the Employees is responsible for the collection and use of the Employee Personal Data.

- 3.2. The Tiffany & Co. affiliate that receives an application from a Job Applicant for a position that has been advertised by that affiliate is responsible for the collection and use of that Job Applicant's Personal Data.

#### **4. Collection and Use of Personal Data**

- 4.1. Personal Data of Employees Processed by the Company include, to the extent permitted by applicable law:

- Name, home address, telephone number, emergency contact information, and other information;
- Age, gender, government or other national identification number, bank account number, dependent information, spousal or partner information, health-related information and other information that may be necessary for the administration of payroll, health insurance, benefits or the corporate credit card program;
- Education, training, work experience, employment history, performance evaluations, compensation, references and background reports;
- Purchase and sales history;
- Images and videos; and
- Other information that may be necessary for legitimate business purposes or as required by applicable legal requirements.

- 4.2. The Company collects such Personal Data from Employees and other third parties, such as other employees (e.g., managers, supervisors, members of the HR Department), former employers, educational institutions, government agencies and consumer reporting agencies.

- 4.3. The Company Processes Personal Data of Employees to the extent necessary to perform employment contracts (i.e., establish, maintain or terminate the employment relationship), including, but not limited to, the following purposes:

- Staffing;
- Verifying and authenticating employee identification;
- Administration of, and participation in, retirement, pension, compensation, health insurance and benefits programs, incentive programs, recognition and milestone programs, corporate credit card program and payroll administration;
- Temporary or permanent relocation;
- Performance management
- Growth and development and training;
- Making safety/medical accommodations; and
- Advancement and succession planning.

- 4.4. The Company also Processes Personal Data of Employees where it has a legitimate interest to do so, including to:

- Investigate a crime if there is a documented reason to believe that an Employee has committed a crime while working at the Company, the Processing is necessary and proportionate, and the Employee does not have an overriding legitimate interest to the contrary;
  - Conduct referencing and background checks, to the extent permitted under applicable law;
  - Ensure security and for contingency planning purposes;
  - Protect the Company, its personnel and the public against injury, theft, legal liability or fraud or abuse;
  - Pursue additional legitimate business purposes of the Company, which may include the day-to-day conduct of the business, risk management and the sale or transfer of all or part of the business, and the conduct of litigation, investigations or dispute resolution; and
  - Other purposes that are appropriate or authorized by applicable law.
- 4.5. The Company may further describe such legitimate interests upon request.
- 4.6. Where appropriate or required by applicable law, the Company obtains Employees' consent to Process their Personal Data and Sensitive Personal Data.
- 4.7. The Company also Processes Personal Data of Employees to comply with applicable legal requirements, including reporting Personal Data to social security or tax authorities.
- 4.8. The Company Processes Personal Data of Employees only for the purposes described in this Policy, unless the Company is required or permitted by law to Process the data, in which case, the Company provides specific notice at the time of collection.
- 4.9. Personal Data of Job Applicants Processed by the Company include:
- Name, home address, email address, date of birth, mobile or telephone number, gender national ID number;
  - Employment history, education, language skills and details about the applicant's current employment situation;
  - Personal Data contained in information and documents Job Applicants provide, such as CV or resume; and
  - Log-in details including login and password.
- 4.10. The Company Processes Personal Data of Job Applicants for the purposes of managing career opportunities and recruitment. The Company will use the Personal Data of Job Applicants for these purposes to take steps at the Job Applicants' request prior to entering into a contract with them. The Company will also use Job Applicants' Personal Data to inform them of future job openings at Tiffany & Co. The Company will use Job Applicants' Personal Data for this purpose in light of its legitimate interests in staffing vacancies. Job Applicants can always opt-out from receiving further

communications concerning future job openings by clicking on the unsubscribe link within the email they receive or by contacting us as indicated below.

- 4.11. To the extent permitted by applicable law, the Company may seek Personal Data about Job Applicants from third parties in connection with references and background checks.

## **5. Disclosure of and Access to Personal Data by Third Parties and Data Transfers**

- 5.1. The Company authorizes disclosure of and access to Personal Data of Employees and Job Applicants to or by internal and external recipients only if such disclosure or access is necessary for the purposes mentioned above.

- 5.2. Service providers that may have access to Personal Data of Employees include:

- Payroll, benefits and program administrators;
- Relocation vendors;
- Security contractors;
- Reference and background check agencies;
- Fraud prevention agencies;
- Emergency/safety service providers;
- Consumer reporting agencies;
- Travel agencies;
- Accountants;
- Payment card providers;
- Outside legal counsel; and
- Other service providers as appropriate or authorized by law.

- 5.3. The service providers that may have access to Personal Data of Job Applicants include Oracle Corporation, amongst others, solely to the extent necessary for the operation of the Company career website and to facilitate digital interaction with Job Applicants. Job Applicants' Personal Data will also be shared with the Company's affiliates in the EU, UK, Switzerland and the U.S., and may be shared with the Company's parent entity, LVMH Moët Hennessy – Louis Vuitton SE.

- 5.4. The Company may also disclose Personal Data of Employees or Job Applicants to third parties other than the Company's service providers:

- As part of an investigation of possible wrongdoing or criminal behavior activity pursuant to Company policies;
- When the life or vital interests of an individual is in danger;
- In connection with an audit or an actual or potential sale or transfer of all or a portion of the Company's business or assets;
- To public authorities, including to meet national security, public interest or law enforcement requirements; and
- As otherwise required by applicable law or legal process.

- 5.5. In this context, Employees' and Job Applicants' Personal Data will be transferred to jurisdictions outside of the location from which the data was collected where necessary to fulfill the business purposes described in this Policy, including the U.S. and other jurisdictions in which our affiliates and service providers operate. Certain of these jurisdictions have not been recognized as providing an adequate level of protection by the European Commission.
- 5.6. For transfers of Personal Data to other countries that have not been recognized as providing an adequate level of protection, the Company has implemented appropriate safeguards to ensure such a level of data protection, such as by entering into the European Commission's EU Standard Contractual Clauses pursuant to Article 46 of the EU General Data Protection Regulation ("GDPR"), or ensuring that the external data recipient has implemented Binding Corporate Rules. For additional information or to obtain a copy of these safeguard mechanisms, please contact us as indicated in the Inquiries and Complaints section below.
- 5.7. Tiffany and Company is also certified to the U.S.-EU and U.S.-Swiss Privacy Shield Frameworks, developed by the U.S. Department of Commerce and the European Commission and Swiss Federal Data Protection and Information Commissioner. Click [http://tcocentral/sites/intranet/IA/domestic\\_policies/125.pdf](http://tcocentral/sites/intranet/IA/domestic_policies/125.pdf) to view our EU-U.S. and Swiss-U.S. Privacy Shield Privacy Policy and <https://www.privacyshield.gov/participant?id=a2zt0000000GntXAAS&status=Active> to access our certification.

## **6. Rights**

- 6.1. Employees and Job Applicants may request access to the Personal Data that Company maintains about them or request that Company rectify or erase their Personal Data, that Company restrict the Processing of such Personal Data or to object to such Processing on grounds relating to their particular situation by contacting the Company using the contact details in the Inquiries and Complaints section below. You may also withdraw any consent you previously provided to us at any time with the effect for the future. Subject to applicable law, Employees and Job Applicants have the right to receive, in a structured, commonly used and machine-readable format, the Personal Data that they have provided to Company about themselves based on a contract to which they are a party, and have the right to have this information transmitted to another company, where it is technically feasible.
- 6.2. They also may lodge a complaint with the data protection authority in their country if they are not satisfied with the Company's responses.
- 6.3. The Company requires Employees and Job Applicants to submit to the Company only accurate Personal Data.

## **7. Confidentiality and Security of Personal Data**

- 7.1. The Company maintains reasonable technical and organizational measures to protect Personal Data of Employees and Job Applicants against unlawful, unauthorized or accidental access, acquisition, destruction, loss, alteration, blocking, copying, disclosure or other unlawful forms of Processing.

## **8. Data Retention**

- 8.1. The Company may retain the Personal Data of an Employee for the duration of the employment relationship with the Company.
- 8.2. The Company may be required to retain the Personal Data for a period of time following termination of an employment relationship with the Company, (1) to comply with the Company's legal obligations or this Policy, (2) to run regular deletion routines taking into account the applicable statute of limitation period, or (3) for the establishment, exercise or defense of a legal claim, in accordance with applicable law.
- 8.3. The Company may retain Job Applicants' Personal Data for as long as necessary to complete the recruitment process plus a reasonable period in order to be able to run regular deletion routines, to take into account applicable statute of limitation period, or as otherwise required under mandatory applicable law, and in any event no longer than three years after the Company's last contact with the Job Applicant. Images and videos collected in the context of digital interactions with the Company will be retained for one year from the Company's last contact with the Job Applicant.

## **9. Inquiries and Complaints**

- 9.1. Employees and Job Applicants may submit questions or comments about this Policy or exercise their rights by emailing us at [privacy@tiffany.com](mailto:privacy@tiffany.com). They also may write to:

Data Protection Officer,  
c/o Legal Department,  
Tiffany & Co.  
200 5<sup>th</sup> Avenue, New York, New York, 10010

The Data Protection Officer will take appropriate steps to address such inquiries and complaints.