

CALIFORNIA APPLICANT PRIVACY NOTICE / YOUR PRIVACY RIGHTS

EFFECTIVE: January 2020

LAST UPDATED: August 4, 2023

Fitness International, LLC, together with its subsidiaries and affiliates (collectively, “Company,” “us,” “we,” or “our”) is committed to protecting the privacy of Personal Data (i.e., information reasonably related to a specific individual). This Privacy Notice (“Notice”) describes how we process Personal Data of California residents who apply for a job with us. If you interact with our website, purchase our products or services, or otherwise engage with us outside of the job application context, the privacy notice provided in connection with that interaction applies instead, not this Notice.

Whenever you interact with us on behalf of another individual or entity, such as if you provide us with names of other individuals as references in your job application, you must obtain their consent (or have the legal authority without consent) to share their Personal Data with us.

Changes: We may update this Notice from time to time. Any updated Notice will be effective when posted. Please check this Notice periodically for updates.

This Notice does not form part of any contract of employment or other contract to provide services and does not give you any contractual rights.

1. Sources of Personal Data

We collect Personal Data about you from the following sources:

- A. **Directly from you.** We may collect Personal Data you provide to us directly, such as when you complete a paper or online application, communicate with us in connection with your application, provide references, or participate in an interview or any aptitude test or assessment (including online). We may also collect your Personal Data when you decide to complete questionnaires, if any, such as a satisfaction survey.
- B. **Data collected automatically.** We may automatically collect information from your device.
- C. **From third parties.** We may collect Personal Data from third parties, such as companies or individuals who direct or refer you to us (including third-party staffing or recruiting firms); our own employees and other personnel, such as in the context of providing feedback following an interview; and in connection with background checks, where permitted or otherwise authorized by law. We may also collect information from publicly available sources and third-party professional social networking websites.

We may combine information that we receive from the various sources described in this Notice, including third party sources, and use or disclose the combined information for the purposes identified below.

2. Types of Personal Data We Collect

We may collect the following types of Personal Data about you:

- A. **Identifiers**, such as name; email address; physical address; telephone number; device identifiers (including IP address); and other contact information.
- B. **Records about you**, such as salary and wage information; background check information (where permitted or required by law); information from employment eligibility checks; disciplinary records; signatures; results of aptitude tests or similar evaluations; and feedback or other notes about you (including following interviews you participate in).
- C. **Protected class and demographic information**, such as military or veteran status and gender, if you choose to provide it.
- D. **Internet or other electronic network activity information**, such as your application status through the candidate portal.
- E. **Non-precise geolocation data**, such as your location as derived from your IP address.
- F. **Audio, electronic, visual, or other sensory information**, such as security camera footage in public areas of Company facilities if you participate in on-site interviews or job fairs; and recordings of events or video interviews.
- G. **Professional or employment-related information**, such as your employment history, professional qualifications, membership in professional organizations, and other resume data; job preferences (including your willingness to relocate or travel); documentation required under immigration and employment laws (such as citizenship, visa data, details of residency, and work permit information).
- H. **Education information**, such as education history and academic certificates.
- I. **Inferences** drawn from any information we collect to create a profile about you regarding preferences, characteristics, or behavior.
- J. **Sensitive Personal Data**, including the following, where permissible or required under applicable laws and regulations:
 - 1. Racial or ethnic origin, if you chose to provide it.
 - 2. Information about your health, such as disability status, if you choose to provide it, vaccination status, whether you were exposed to someone who tested positive for communicable diseases or whether you are currently experiencing any flu-like or other relevant symptoms.

3. How We Use Personal Data

We may use Personal Data for the following purposes:

- A. **In connection with your application**, such as assessing your application and interview for suitability for the position for which you have applied or other open positions; communicating with you concerning job openings (including with our affiliates) or your application; conducting pre-employment verification and screening; and dealing with any inquiry, challenge, or request for feedback received in relation to our recruitment and hiring decisions.
- B. **For our internal business and research purposes**, such as enforcing our policies and rules; managing and improving our recruitment process; and IT administration.
- C. **For legal, safety or security reasons**, such as complying with legal, reporting, and similar requirements; investigating and responding to claims against the Company, its personnel, and its customers; for the establishment, exercise or defense of legal claims; protecting our, your, our customers', and other third parties' safety (including managing spread of communicable diseases), property or rights; detecting, preventing, and responding to security incidents; and protecting against malicious, deceptive, fraudulent, or illegal activity.
- D. **In connection with a corporate transaction**, such as if we acquire, or some or all our assets are acquired by, another entity; or we engage in another form of corporate change.

We only use Sensitive Personal Information for the following purposes: (i) performing services or providing goods reasonably expected by an average consumer; (ii) detecting security incidents; (iii) resisting malicious, deceptive, or illegal actions; (iv) ensuring the physical safety of individuals; (v) for short-term, transient use, including non-personalized advertising; (vi) performing or providing internal business services; (vii) verifying or maintaining the quality or safety of a service or device; or (viii) for purposes that do not infer characteristics about you.

We may use anonymized, de-identified, or aggregated information for any purpose.

4. How We Disclose Personal Data

We may disclose Personal Data to third parties, including the categories of recipients described below. We do not “sell” or “share” for targeted advertising job applicant Personal Data (as those terms are defined in the California Consumer Privacy Act). We disclose Personal Data we collect to the following categories of third parties for a business purpose:

- A. **Affiliates and subsidiaries**, including parent entities; corporate affiliates, subsidiaries, and business units; and other companies that share common ownership with us.
- B. **Service providers** that work on our behalf to provide products and services, such as IT support and software service providers.
- C. **Third parties that independently maintain information about you**, such as travel agencies; recruitment firms; and background check vendors. We do not control the practices of

such third parties, and you should consult their privacy notices for questions about their privacy practices.

- D. **Professional consultants**, such as recruiters; accountants; lawyers; financial advisors; and audit firms.
- E. **Law enforcement, government agencies, and other recipients for legal, security, or safety purposes**, such as when we share information to comply with law or legal requirements (including subpoenas); to respond to charges filed with government agencies (such as the Equal Employment Opportunity Commission); to enforce or apply our policies; and to protect our, our customers', or third parties' safety, property or rights.
- F. **To other entities in connection with a corporate transaction**, such as if we, or some or all of our assets, are acquired by another entity, including through a sale in connection with bankruptcy, or other forms of corporate change.
- G. **Entities to which you have consented to the disclosure**, where consent is required by law.

We may disclose anonymized, de-identified, or aggregated information for any purpose permitted by law.

5. Data Retention

Your Personal Data will be retained as long as necessary to fulfill the purposes we have outlined above unless we are required to do otherwise by applicable law. This includes retaining your Personal Data for purposes consistent with the applicant-related context of our interactions; to improve our application and recruiting practices over time; to ensure the ongoing legality, safety and security of our services and relationships; and for other legitimate business purposes in accordance with our internal retention procedures.

6. Rights Concerning Personal Data

California residents may have certain rights, subject to legal limitations, concerning the collection, use, and disclosure of Personal Data under the CCPA, such as:

- **Right to Know.** You have the right to request information about the categories of Personal Data we have collected about you, the categories of sources from which we collected the Personal Data, the purposes for collecting, selling, or sharing the Personal Data, and to whom we have disclosed Personal Data and why. You may also request the specific pieces of Personal Data we have collected about you.
- **Right to Delete.** You have the right to request that we delete Personal Data that we have collected from you.
- **Right to Correct.** You have the right to request that we correct inaccurate Personal Data that we maintain about you.

California residents may exercise these rights by visiting <https://forms.office.com/r/nSN0Y5ALHx> or calling 1-949-255-8104.

To process requests, we will need to obtain information to locate you in our records or verify your identity depending on the nature of the request. In most cases, we will collect some or all of the following data elements: first and last name and email address. In some cases, we may request different or additional information, including a signed declaration that you are who you say you are, and will inform you if we need such information. We will then respond by email within any required timeframes.

We will not discriminate against you for exercising your privacy rights.

Authorized agents may exercise rights on behalf of California residents by submitting a request via email to legaldept@fitnessintl.com and indicating that they are submitting the request as an agent. We will require the agent to demonstrate authority to act on behalf of the resident by providing signed permission from the resident. We may also require the resident to verify their own identity directly with us or to directly confirm with us that they provided the authorized agent permission to submit the request.

7. Contact Information

If you have questions regarding this Privacy Notice or how we use your Personal Data, please contact us through the HR Queue or by writing to us at:

Attn: Legal Department
P.O. Box 54170
Irvine, CA 92619-4170