



Effective date: 21 December 2020

BERRY GLOBAL EUROPEAN JOB APPLICANT PRIVACY NOTICE

Our commitment to protect your privacy

At Berry, we take privacy seriously. We are committed to protecting personal data in line with applicable data protection laws, including the principles set out in the European General Data Protection Regulation (“**GDPR**”).

This Notice applies to any person located in the European Economic Area/ European Union (“**EU**”), United Kingdom (“**UK**”) or Switzerland (“**You**”) who provides personal data in the course of a recruitment process (“**Your Data**”) which are processed (i.e. collected, recorded, used or otherwise as defined in the GDPR) by a Berry Global Group European affiliate to which You are applying for a position (“**Berry European affiliate**”, “**we**” or “**us**”).

“**Berry Global Group**” or “**Berry**” means the group of companies directly, or indirectly, held and/ or controlled by Berry Global Group, Inc. (NYSE:BERY), a company with its principal place of business at 101 Oakley Street, Evansville, IN 47710, USA, including Berry Global Group, Inc. itself, and any of its Berry European affiliates.

1. Who is responsible for Your Data?

The Berry European affiliate to which You are applying for a position is the data controller responsible for processing Your Data. Details of the relevant data controller for any given position will be confirmed in the relevant job advertisement or other recruitment communication to which you are responding.

This Notice applies in conjunction with any other notices you receive from Berry Global Group companies in connection with the processing of Your Data.

2. Why do we process Your Data and on which basis?

We process Your Data for recruitment purposes only. The lawful basis for processing includes:

- in order to **enter into contracts** with You relating to your employment or engagement with us;
- for the **legitimate interests** of the Berry European affiliate or others (as described below), where these are not overridden by your interests or fundamental rights and freedoms. In particular, this includes, but is not limited to, the activities in connection with the recruitment process, assessing and confirming your suitability for employment, facilitating the selection process, conducting reference checks and communicating with You. It also includes for business process execution and internal management, safeguarding the security of our infrastructure, premises, assets and office equipment, including the prevention of criminal activity and the defence of legal claims;



- with your prior **consent**, for us to contact referees, conduct background checks, verify information, consider You for other employment positions with us; and
- in order to comply with **our legal obligations**, including, but not limited to, checking your eligibility to work in the country in which the Berry European affiliate is located.

3. Which categories of personal data do we process?

This Notice covers **any of Your Data submitted to us for the recruitment process**. This may include, but is not limited to, the following information:

- your name, contact details and applicant status;
- details of your qualifications, skills, experience and employment history;
- information included in your CV or cover letter, such as academic background, skills and competencies, personal interests, languages spoken, questionnaire results;
- job preferences and type of employment sought, willingness to relocate;
- names and contact details for references (please note that it is your responsibility to obtain consent from your references prior to providing us personal information about them);
- current and historic salary details together with salary expectations;
- details of your current benefit entitlements;
- information about your entitlement to work in the country in which the Berry European affiliate is located.

We process limited amounts of **special categories of personal data**, such as health or disability, only when relevant for a position and in order to comply with our legal obligations (e.g. to make reasonable adjustments for candidates with disabilities).

4. Where can we obtain Your Data from?

We typically collect personal information **directly from You** via hard copy and web-based application forms, **from recruiters and recruitment agencies, through individual referrals and from test results** where relevant to the position. We may also review **professional social media profiles** and consider data that is publicly available to the extent that such data is necessary and relevant to the performance of the job which is being applied for.

We may also collect Your Data **from other third parties**, subject to your consent or if required by law, including your academic history and references supplied by former employers.

5. Do we transfer Your Data within the Berry Global Group or to third parties?

Your Data may be shared with **other Berry companies** as part of the recruitment process. This includes in-house recruiters (HR department) and interviewers involved in the recruitment process, hiring managers, and other managers in the business area department where there is a vacancy, senior management in the case of senior posts, and IT staff if access to the data is necessary for the performance of their roles. We have data transfer agreements in place for such transfers that, as noted in section 6 below, include specific contractual measures to protect Your Data where shared with affiliates outside of the EU and Switzerland/ the UK (as applicable).



Depending on the position sought, Your Data may be stored on secure servers at the particular Berry European affiliate that You are applying to, with other Berry European affiliates and, possibly, **other affiliates of the Berry Global Group**.

We may need to share some of Your Data **with third parties outside of the Berry Global Group**, including external recruiters and recruitment agencies and service providers. When we do so, we ensure that contractual measures are in place where necessary to protect Your Data.

6. Do we transfer Your Data outside of the EU, Switzerland or the UK (as applicable)?

We may transfer Your Data **to companies of the Berry Global Group which are based outside of the EU, Switzerland or the UK** (as applicable) in order to make collaborative recruitment decisions amongst management and/or for technical reasons such as the provision of storage and backup services. International transfers within the Berry Global Group are governed by data transfer agreements incorporating the EU Commission-approved Standard Contractual Clauses for Controllers (as defined in the GDPR) and, where relevant, for Processors (as defined in the GDPR).

7. How do we protect the security of Your Data?

We have put in place appropriate security measures to prevent Your Data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to Your Data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify You and any applicable regulator of a suspected breach where we are legally required to do so.

8. What are your rights?

At any time, You may exercise your rights with respect to Your Data by:

- **Requesting access to Your Data:** This enables You to receive a copy of the personal data we hold about You.
- **Requesting rectification, correction, or updating to Your Data:** This enables You to have any incomplete or inaccurate information we hold about You corrected.
- **Requesting erasure of Your Data.** This enables You to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove personal data where You have exercised your right to object to processing (see below).
- **Requesting restriction of processing of Your Data.** This enables You to ask us to suspend the processing of Your Data (e.g. if You want us to establish its accuracy or the reason for processing it).



- **Requesting transfer of Your Data (data portability)**, to the extent applicable in the recruitment context. This enables You to ask us to provide You, in machine-readable format, personal data that You have provided to us for transfer to another controller.
- **Withdrawing your consent.** If the processing of Your Data is carried out on the basis of your consent, You may withdraw it at any time without giving reason.
- **Objecting to the processing of Your Data** where we are relying on legitimate interests as the lawful basis to process Your Data and you have grounds for objection relating to your particular situation.

Please note that the exercise of these rights is not absolute as they must be weighed against other rights and legal obligations. Should You wish to exercise any of these rights or have any question with respect to this Notice, please contact Your Data controller using the contact details set out in the relevant job advertisement or other recruitment communication. If You disagree with the way we process Your Data and/or our response to your request, You also have the right to file a complaint with the data protection authority of your country of residence.

9. For how long do we keep Your Data?

Your Data will not be kept for longer than is necessary for the recruitment process, unless Your Data is relevant in the case of a successful outcome of the relevant recruitment process and your subsequent employment with us. In such cases, Your Data, to the extent relevant, will be transferred to our HR department in accordance with our Berry Global EU, Switzerland or UK Employee Privacy Notice (as applicable) that will be communicated to You internally in due course.

If your application has not been retained, Your Data in structured files will be deleted within six (6) months of the decision or within such shorter period as may be required by applicable local laws, unless You consent to have us retaining Your Data for a subsequent defined period for the purpose of being considered for other potential job openings.

10. Changes

We may make changes to this Notice from time to time to reflect changes in the law or in our practices. Such changes will be applicable as of the effective date set out in this Notice.

11. Contact Details

If You would like to contact us regarding the processing of your personal data or any aspect of this Notice, please contact Your Data controller/ their data protection officer (where applicable) using the contact details set out in the relevant job advertisement or other recruitment communication.