

**Bristol-Myers Squibb**  
**DATA PROTECTION NOTICE**

The aim of this Data Protection Notice (“**Notice**”) is to inform employees and workers engaged by **Bristol-Myers Squibb Business Services Limited** with its registered address at Lakewood, Heronsway, Chester Business Park, Wrexham Road, Chester CH4 9QW UK (registration number: 2059282) and **Bristol-Myers Squibb Pharmaceuticals Ltd** with its registered address at Uxbridge Business Park, Sanderson Road, Uxbridge UB8 1DH, United Kingdom (registration number: 2487574) (hereinafter individually referred to as the “**Company**” and collectively referred to as “**BMS**” or “**we**” or “**us**”), and applicants for such engagement, on behalf of each Company and all group companies of each Company (the “**Group**”), on the collection, use, disclosure, transfer, and other processing of their individually identifiable information (“**Personal Data**”). Under applicable European data privacy laws including, but not limited to, laws implementing the General Data Protection Regulation 2016/679 (“**GDPR**”) and the forthcoming new UK Data Protection Act (together the “**Data Privacy Laws**”), each Company is the data controller.

## 1. **Personal Data**

Throughout the course of your engagement or employment, or application for engagement or employment, with BMS, we collect and process certain Personal Data about you. We collect and process your Personal Data (a) for purposes that are required by applicable law, regulations, collective agreements or other contracts, (b) to allow the Company to fulfil its business needs and legal obligations, and (c) to maintain the employment or business relationship. The Personal Data we collect and process includes the following categories (where applicable to the employment or engagement or application for employment or engagement):

- **Contact information:** such as full name, including title, name at birth and preferred name, work address, work phone number, work fax number, work email address, work mobile phone number, office e-mail address, office phone number, employment location, job title and job title code, employee IDs.
- **Master data and qualified HR data:** such as job function, contractual details, education information (including grades and fee repayment obligations), resume, nationality, passport number and issue information, residency status, date of birth, birth city and country, gender, marital status, relationship information, primary language, language skills, visa type and information (work permit/business/etc.), home address and home telephone number, personal mobile phone number, emergency contact information, next of kin information, maternity/paternity protection information including notification date of pregnancy, expected date of delivery, actual date of delivery and type of birth, employment location, employment action (hire/rehire/termination), reason for employment action (hire/rehire/termination/leave), termination details, employee classification, employment status, type of contract, hire date, length of service, term and related contract information, power of attorney information, information on loaned company property, probation period information, notice period, job classification, information and status on global assignments, full time/part time status, department, region, market, project and project allocation, cost centre, manager, travel details, employee expenses, company training history, performance rating history, competencies, development areas, work schedule and time worked, attendance and substitution information, leave of absence information (vacation, holidays, accident and sick leave, maternity, paternity and parental leave, bereavement, military service, court appearances, miscellaneous leave (e.g., volunteering days)) including payment and

entitlement information, all personal data required to provide data subjects (1) access to company computer systems and networks and (2) tools and devices to electronically communicate within the Group, including but not limited to IP address, geolocation/geotracking data and user login name.

- **Deferred compensation information:** such as full name, plan information, award value information, settlement information, tax obligation, exercise type, country, amount and price, bank information details, payment beneficiary.
- **Payroll data:** such as national ID number/social security number, banking data necessary to make payments to data subject, compensation information, data on leave, religious affiliation (only if required for payroll and related tax processing), military status, dependent details (name, address, date and place of birth, relationship, education, employer), marital status and relationship information, end of service payment and accruals, base salary, annual salary, wage type, salary deductions, currency, garnishment, employee's wage tax class and other wage tax details, employee's wage tax (withheld by the employer), tax number, employer and employee social security contributions, compensation, overtime compensation, bonus compensation, other variable compensation, other leave compensation, not taken holidays compensation, all company paid expenses, benefits and benefits in kind (including retirement, disability and survivors' benefits), health benefits, flexible spending account information, living allowances, travel allowances, travel details, car or commuting allowances and information, other allowances, long-term incentive plan details, adjustments and salary reductions, third party payments.
- **Training and assessment information:** such as work experience, education, accomplishments, mobility, career goals and type, development plans, potential, performance, potential assessment information, succession plan information, talent review meeting information.
- **Job applicant information:** such as candidate details, status, ranking, email address, address, current employer, job history, work and corporate title, education, qualifications, references, criminal record checks (where applicable), desired function and work location, licenses, certificates, work experience, resume information.
- **Health information:** such as illness and accidents information, health, disability information, insurance and saving plan information, including deductions, eligibility and coverage, enrolment plan, data on sick leave and disability information.

## 2. Sources of Personal Data

We may obtain Personal Data from the sources listed below:

- directly from you, such as through your data input into our Human Resources systems, the application process or via other forms or information you provide to us in connection with your employment or engagement with us (job application, employment contract, benefits application forms, personal details form, internal resume/management profile, emergency contacts, etc.);
- through your activities in the course of your employment, such as through your performance evaluations; and
- from third parties, including references and other background screening checks, former employers, and employment recruitment agencies, subject to the requirements of applicable law.

### **3. Information about dependents/contacts**

If you provide us with Personal Data about members of your family and/or dependents or beneficiaries (e.g., for emergency contact or benefits administration purposes), it is your responsibility to inform them of their rights with respect to such information. You also are responsible for obtaining the explicit consent of these individuals (unless you can provide such consent on their behalf) to the processing (including transfer) of that Personal Data for the purposes set out in this Notice.

### **4. Purposes for processing Personal Data**

Each Company collects, processes, and otherwise uses your Personal Data for purposes (a) that are required by applicable law, regulations, collective agreements or other contracts, (b) to allow each Company to fulfil its business needs and legal obligations, (c) to allow each Company to decide whether to establish an employment relationship with you and (d) to perform or terminate the employment relationship or other business relation with you. These purposes include but are not limited to:

- management of application process and/or the employment relationship;
- workflow management, such as assigning, managing, and administering projects or training;
- travel and expense tracking and budgeting;
- compensation administration, including payroll, bonus, commission as well as stock plan administration, approval and processing; benefits monitoring, calculation, administration and planning; competitive pay analysis, and job grading;
- talent management; performance appraisals, promotion, and career development activities; identifying future managers and leaders (succession planning); retirement planning, monitoring of training and development;
- personnel administration;
- enrolment with and administration of health and medical benefits, pension funds or retirement plans;
- administration of leave of absence, time off, sick leave or other types of employee leave as per applicable law and/or company policies;
- managing sickness, injury and/or disability requirements;
- organizational development; preparation, management, and use of an internal business directory;
- employee discipline; internal company and/or external investigations into misconduct and/or performance concerns;
- audit requirements;
- exercise of our rights under local laws and compliance with applicable legal and regulatory requests and obligations (including investigations in relation to the same); and
- to establish or defend legal claims and allegations.

We will not use your Personal Data for marketing purposes unless you expressly consent to us doing so.

## **5. Disclosure of Personal Data**

Your Personal Data will be disclosed within each Company only to those individuals who need access to your Personal Data to perform their duties for the purposes listed in Section 4 above or where required or permitted by applicable law.

Each Company may also disclose your Personal Data to its affiliates within the Group for pursuing the purposes listed in Section 4 above or where required by applicable law. Within the Group, your Personal Data will be disclosed only to a limited number of restricted individuals within the information technology, human resources, legal, finance, regulatory and compliance, accounting, compensation and benefits departments as well as certain managers (i.e. only persons with assigned responsibility or managerial responsibility for the employee or groups of employees) to the extent any of these functions need access to your Personal Data in connection with their job responsibilities. Access will be provided on a need-to-know basis. Disclosure may take place also through specifically devoted human resources information systems and databases, employee directories or business applications. Access to the internal employee directory will be provided to all employees of the Group limited to the information necessary to relevant work needs.

Each Company may also disclose your Personal Data to third parties providing payroll services, information technology support or technical and organizational services in connection with human resources-related activities or legal, audit or other advisors to BMS for the purposes referred to in this Notice. The Company will exercise appropriate due diligence in the selection of its third party service providers, and require that such providers maintain adequate technical and organizational security measures to safeguard your Personal Data, and to process your Personal Data only as instructed by the Company or a member of the Group and for no other purposes.

Each Company may also disclose your Personal Data to governmental authorities as required or permitted by law; public and private social security and insurance agencies; consultants in connection with extraordinary business operations (e.g., mergers, acquisitions, and the like); to business partners, agents and customers; external consultants and professionals; associations, including trade unions and employee works councils; courts. Your Personal Data will be disclosed to such third parties only as necessary in connection with the performance of contracts, the Company's business activities and the purposes listed in Section 4 above, as permitted by employee consent or as otherwise authorized, required, or permitted by law.

## **6. International transfer of Personal Data**

Due to the multinational character of the Group, some of the affiliated companies and other recipients listed in Section 5 above may be located in countries (including the United States) that do not provide a level of data protection equivalent to that set forth by the law in your home country. Each Company will take appropriate steps to make sure that such recipients act in accordance with applicable law. To the extent that the Company transfers the Personal Data to recipients which are located outside the European Union or the European Economic Area, the Company will provide an adequate level of protection of your Personal Data, including appropriate technical and organizational security measures and through the implementation of appropriate contractual measures to secure such transfer, in compliance with applicable law.

## **7. Legal basis for processing Personal Data**

Each Company's employment obligations and contractual and legal obligations as well as their legitimate business interests under the Data Privacy Laws form the legal basis of the processing described in this Notice. If you are an employee or worker of either Company, or an applicant for employment or engagement by either Company, we need to process your Personal Data for these purposes. Our legitimate interests or those of a third party include our requirements to use your Personal Data in litigation or for other legal purposes involving either Company and/or any affiliate of either Company and may also include the need to transfer your Personal Data to third countries without adequate data protection laws. In this event, we will take reasonable steps to protect your Personal Data as required by the Data Privacy Laws.

## **8. Data security**

We maintain physical, technical, and organizational security measures to protect the Personal Data against accidental, unlawful, or unauthorized destruction, loss, alteration, disclosure, or access, whether it is processed in your local jurisdiction, the United States, or elsewhere. Our IT security policy governs how we protect your Personal Data.

## **9. Retention, Access and Accuracy of Personal Data**

We intend to keep your Personal Data accurate and up-to-date. We also strive to retain your Personal Data no longer than is necessary to carry out the purposes listed in this Notice or than is required by law. Each Company retains your Personal Data for up to seven years following the end of your employment or other business relationship in accordance with applicable law. However, legal documents in connection with the termination of your employment relationship will be retained as long as such termination may be disputed and Personal Data necessary for the administration of retirement, disability or survivor's benefits will be retained as long as such benefits might be claimed.

If changes need to be made to Personal Data, notify the Human Resources Department (as identified below) in writing right away. Under applicable law, you have rights to: (i) check whether we hold Personal Data about you and to access such data (subject to applicable laws); (ii) request correction or erasure of Personal Data about you that is inaccurate; (iii) ascertain information related to BMS' policies and practices in relation to Personal Data; (iv) request the erasure of your Personal Data; and (v) request the restriction of processing concerning you. In certain circumstances, you also may have the right to request restrictions or object for legitimate reasons to the processing of your Personal Data in accordance with the applicable data protection regulations. Further, you have the right to transfer your Personal Data to third parties pursuant to Article 20 of the GDPR.

You also have the right to withdraw any consent to processing your Personal Data at any time, without affecting the lawfulness of processing of your Personal Data based on consent before its withdrawal. We may, however, have other legal grounds to continue to process your Personal Data.

## **10. Changes to the Notice**

Should we materially change our Personal Data practices or this Notice, we will issue a revised Notice and/or take other steps to notify you of the changes in accordance with applicable laws.

## 11. Rights to raise concerns

You have the right to raise concerns to BMS or to the applicable supervisory authority about our processing of your Personal Data. If you wish to raise concerns with either Company, please contact [EUDPO@bms.com](mailto:EUDPO@bms.com) . The applicable supervisory authority of each Company is the Information Commissioner's Office.

## 12. Questions

If you have any questions about this Notice or wish to (i) access or review your Personal Data or learn more about who has access to your Personal Data, or (ii) make another type of request related to your Personal Data, please visit the [EUDPO](#) website.

### **Declaration:**

This Employee Data Protection Notice ("**Notice**") is provided for transparency on the collection, use, storage, and other processing of Personal Data by each Company, and the international transfer of Personal Data to countries (including the United States) where data protection laws may not provide an equivalent level of protection to the laws of the home country for employees and workers of, and applicants for employment or engagement by, each Company.

Where appropriate, the employee or applicant for employment or engagement by BMS is responsible for providing relatives, dependents and beneficiaries (if any) with all information regarding the processing of their Personal Data and their related rights, as described in the Notice, and obtaining the explicit consent of those individuals, where necessary, to the processing of their Personal Data as described in this Notice .

10<sup>th</sup> October 2019