

NOTICE AT COLLECTION FOR COLLEAGUES AND CONTRACTORS (CALIFORNIA)

Tivity Health, Inc. and its affiliates (collectively, “Tivity Health,” “we,” or “us”) value our relationship with our workforce, including our employees and job applicants, (collectively, “Colleagues”) and our contractors and other personnel (collectively, “Contractors”) and takes the privacy of our Colleagues and Contractors seriously. The purpose of this California Consumer Privacy Act ‘Notice at Collection for Colleagues and Contractors (California)’ (this “Privacy Notice”) is to identify how we may process, collect, store, disclose, share and use (collectively, “use”) your Personal Data (as defined below) that we collect from you or from others in connection with or in the course of your relationship with us.

This Privacy Notice applies to our use of your Personal Data both while you are a Colleague as part of our organization or engaged as a Contractor by our organization and when you are no longer part of or engaged by our organization. This notice does not form part of any contract of employment. We may update this Privacy Notice at any time, but if we do, we will post the revised Notice on this webpage indicating when the Notice was “Last Updated.”. We may also provide other privacy notices on specific occasions when we are using your Personal Data in ways that are different from what we have described here, so that you are aware of how and why we are using such information.

This Privacy Notice was last updated June 30, 2023.

This Privacy Notice contains the following information:

- 1. How we may use information we collect about you**
- 2. With whom we may disclose your Personal Data**
- 3. How we safeguard your Personal Data**
- 4. How long we store your Personal Data**
- 5. Changes to this Privacy Notice**
- 6. Our Privacy Policy and How to contact us**

1. How we may use information we collect about you.

We collect Personal Data (“Personal Data” is information that identifies, relates to, describes, can reasonably be associated with, or can reasonably be linked to a particular individual or household) about Colleagues and Contractors through the application and recruitment process, directly from candidates and from independent references, the Contractor profile creation process, and when you voluntarily share your information with us. We may also collect Personal Data about Colleagues from supervisors and other Colleagues in the course of Colleagues’ performance of job-related activities and about Contractors from others directly engaged with Contractors in the course of their performance of services.

During the preceding 12 months, we may have collected the categories of Personal Data that are processed pursuant to the California Consumer Privacy Act, as amended by the California Privacy Rights Act (“CCPA”) as further described in the table below.

We will only use your Personal Data, including any sensitive personal information, for the purposes identified below, unless we reasonably consider that we need to use it for another

reason and that reason is compatible with the original purpose described here. If we need to use your Personal Data for an unrelated purpose or if we change the basis on which we are processing your data, we will notify you.

The Personal Data that we collect about you will depend on our relationship or interaction with you. The table below lists the Personal Data, and the purposes for which we collect, use, and disclose Personal Data, in different contexts.

The Personal Data we may process about you	Why we process your Personal Data
<p>Identifiers, including, for example:</p> <ul style="list-style-type: none"> • Personal contact details, such as name, title, addresses, telephone numbers, and personal email addresses • Date of birth • Gender • Marital status and dependents • Social Security Number • Copy of driver’s license • Your Visa number and expiration date • Information regarding your status as a Foreign National Employee • Similar information for your next of kin and emergency contact information <p>Internet and electronic network activity information, including for example:</p> <ul style="list-style-type: none"> • Activity on our information systems (such as internet browsing history, search history, email communications, and stored documents and emails) • Activity on our communications systems (such as call logs, voicemails, etc.) <p>Geolocation data</p> <ul style="list-style-type: none"> • Time and physical location related to use of an internet website or application <p>Professional or employment-related information, including, for example:</p> <ul style="list-style-type: none"> • Some identifiers listed above (name, Social Security number, address, telephone number, email address, driver’s license or state identification card number) 	<p>For us to provide employment benefits, and/or to perform functions for your benefit or on your behalf in connection with your employment or your relationship with us, which may include the following:</p> <ul style="list-style-type: none"> • Seeking and processing Contractor engagements; • Communicating with you; • Facilitating transactions on your behalf (e.g., payroll or payments to you); • Recruiting and processing employment applications, including verifying eligibility for employment and conducting background and related checks; • Conducting Colleague onboarding; • Providing Colleagues with human resources management and support services; • Conducting internal reviews and investigating complaints and violations of our policies; • Assessing compliance with your regulatory and legal requirements (e.g., taxes, travel visas) and acting on your behalf to fulfill your regulatory and legal requirements; or • Maintaining records of past transactions and business information for our legitimate interest in documenting the scope of your employment or engagement and your performance and communicating with subsequent employers or clients of yours about such scope and performance, as well as your legitimate interest in maintaining such

The Personal Data we may process about you	Why we process your Personal Data
<ul style="list-style-type: none"> • Start date • Leaving date and reason for leaving. • Location of performing services • Bill rate information • Recruitment information (including copies of right to work documentation, references and other information included in a resume or cover letter or as part of the application process) • Employment records (including job titles, work history, working hours, holidays, training records and professional memberships) • Bank account details, payroll records and tax status information • Salary and other benefits requirements, including, annual leave, pension and benefits information • Start date and, if different, the date of your continuous employment • Leaving date and your reason for leaving. • Location of employment or workplace • Information regarding hardship withdrawals and loans • Performance information • Disciplinary and grievance information • Photographs of you • Results of employment or work status check <p>Financial Information, including, for example:</p> <ul style="list-style-type: none"> • Name, billing address • Bank account details, payroll or payment records and tax status information • Salary and other benefits requirements, including annual leave, pension and benefits information 	<p>documentation for your business purposes.</p> <p>For us to comply with our legal obligations, including assessing compliance with our regulatory requirements (e.g., regulatory tax requirements).</p>

The Personal Data we may process about you	Why we process your Personal Data
<p>Protected Classifications under California or federal law, including, for example:</p> <ul style="list-style-type: none"> • Age • Ethnicity or race • Citizenship • Medical condition • Marital status • Gender (including gender identity, pregnancy or childbirth related medical conditions) • Sexual orientation • Military and veteran status 	<p>We use this Personal Data for the same purposes as listed above.</p>
<ul style="list-style-type: none"> • Criminal convictions and offenses (where applicable, and solely to the extent you or your agents voluntarily provide such information to us or appoint us to receive or access such information) 	<p>For us to perform functions for your benefit or on your behalf in connection with your employment or relationship with us, which may include the following:</p> <ul style="list-style-type: none"> • Recruiting and processing employment applications, including verifying eligibility for employment and conducting background and related checks • Seeking and processing Contractor engagements, including verifying eligibility and conducting background checks • For us to comply with our legal obligations, including where it is necessary to protect your interests (or someone else's interests, or where you have already made the information public)
<p>Sensitive Personal Information including, for example:</p> <ul style="list-style-type: none"> • Government identifiers, such as your social security, driver's license, state identification card, or passport number • Financial account information • Racial or ethnic origin <p>As part of Sensitive Personal Information, information about your health, including any</p>	<p>For us to provide employment benefits, and/or to perform functions for your benefit or on your behalf in connection with your employment or relationship with us, which may include the following:</p> <ul style="list-style-type: none"> • Facilitating transactions on your behalf (e.g., payroll); • Recruiting and processing employment applications, including verifying eligibility for employment and

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<p>medical conditions, health and sickness records, including:</p> <ul style="list-style-type: none"> • where you leave employment and under any share plan operated by a group company the reason for leaving is determined to be ill-health, injury or disability, the records relating to that decision; • details of any absences (other than holidays) from work including time on parental leave and sick leave; and • where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes. 	<p>conducting background and related checks;</p> <ul style="list-style-type: none"> • Seeking and processing Contractor engagements, including verifying eligibility and conducting background checks • Providing Colleagues with human resources management and support services; • Assessing compliance with our and your regulatory and legal requirements (e.g., taxes, travel visas) and acting on your behalf to fulfill your regulatory and legal requirements; or • For us to comply with our legal obligations, including where it is necessary to protect your interests (or someone else's interests).

2. With whom we may disclose your Personal Data.

We generally do not and will not “sell” or make available Personal Data for cross-context behavioral advertising (which is called “sharing” under the CCPA) for purposes of the CCPA. As set forth in this Privacy Notice, we may disclose Personal Data to third parties for business purposes, including without limitation, for purposes of accessing transactions on your behalf (e.g., payroll and health insurance, payments to you) and complying with our legal obligations, and for other business purposes described in this Privacy Notice. During the preceding 12 months, we may have disclosed each of the categories of Personal Data listed in Section 1 for such business purposes. In addition, your information may be accessible to third parties with whom you interact or direct us to disclose your information through your employment or engagement with us.

In connection with your employment or relationship with us, we may disclose your Personal Data with the following types of recipients:

- **Third parties engaged by you or who may engage you – where we disclose data access on your behalf and in your interests**
 - Third parties who you have engaged for services (e.g., financial institutions, mortgage companies, attorneys)
 - Governmental authorities, including taxing and immigration authorities
 - Your future employers who ask us to confirm your employment with us
- **Our service providers, who we engage to help us run our business, including:**
 - Software providers we use to manage your information (e.g., accounting software)
 - Hosting providers that provide database storage for our business
 - Human resources software and/or service providers we use to support our management of Colleagues and Contractors (for example, payroll or payment providers)

- **Benefit providers, including health plans**

Additionally, we will disclose your Personal Data with third parties where required by law, where it is necessary in connection with your employment or relationship with us, or where we have another legitimate interest in doing so.

In order to manage our relationship with you, we may transfer the Personal Data we collect about you to other countries, the laws of which may differ than those governing your Personal Data in the United States.

3. How we safeguard your Personal Data.

We have put in place appropriate security measures to reduce the risks of loss, misuse, unauthorized access, disclosure and alteration. In addition, we limit access to your Personal Data to those current employees, agents, contractors and other third parties who have a business need to know. Other than third parties with whom we disclose Personal Data as authorized by you but with whom we do not have a contract (e.g., financial institutions, etc. where you or a member of your team has a contract with such third party), third parties we engage in our business who may have access to your Personal Data will only process your Personal Data on our instructions and they are required to only use your data as necessary to perform their contract with us.

4. How long we store your Personal Data.

We may store your data for the duration of your employment or relationship with us. Additionally, we may store data following termination or expiration of your employment or relationship with us to the extent required to comply with our and your legal, accounting, or reporting requirements. Additionally, we may continue to store your Personal Data contained in our standard back-ups.

5. Changes to this Privacy Notice.

We reserve the right to update this Privacy Notice at any time, and we will provide you with a new Privacy Notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your Personal Data.

6. Our Privacy Policy and How to Contact Us.

For more information about how we collect, process, use, store, and disclose Personal Data, please visit our privacy policy, available at: <https://www.tivityhealth.com/privacy-policy/>.

If you have any questions or concerns about our use of your Personal Data, please do not hesitate to contact us through any of the methods listed below.

- **Email:** privacy@tivityhealth.com
- **Phone:** 1-877-614-3111