

## H&M USA - Applicant Privacy Notice

Last updated: February 2024

This Applicant Privacy Notice (“**Privacy Notice**”) describes the collection, use, retention, and sharing of your personal information when you apply for a position at H&M Fashion USA, Inc. (“**H&M USA**”, “**we**”, “**us**”, “**our**”). For general information on our privacy practices, please see our global [Privacy Policy](#).

This Privacy Notice does not apply to third party sites or services outside of H&M USA’s job portal, <https://career.hm.com/us-en/> (“**Job Portal**”) and application process.

### PERSONAL INFORMATION WE COLLECT, WHY AND FOR HOW LONG

When you apply for a position at H&M USA, we collect personal information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, to you or your household.

We collect your personal information when you:

- **Complete an application.** When you apply for a position at H&M USA, we collect, from you, your *personal identifiers* (name, email address, telephone number, and physical address), your *professional or employment information* (resume/CV, cover letter, certifications or licenses, qualifications, employment history), and any other information you choose to include with your application. We use this information to review your background and skills, to determine your qualifications for the role you are applying to, and to confirm information related to your employment and education. For equal employment and affirmative action purposes, you also have the option (when it is clearly and specifically requested) to provide us with your *protected classifications* (gender, age, veteran status, disabilities) and *sensitive protected classifications* (race, ethnicity). We use this protected classification and sensitive protected classification information for government reporting purposes, to comply with legal requirements, to analyze requested disability accommodations as applicable, to document any accommodations we have provided to accommodate your needs, and to design, implement, and promote H&M USA’s diversity and inclusion programs and equitable hiring practices. We use this information, in the aggregate, to conduct internal analytics and benchmarking. If you applied through a recruiting agency, your *personal identifiers* may be shared with the recruiting agency with which you are working to communicate the status of your application.
- **Create an account.** When you create an account to apply for a position with H&M USA, we collect, from you, your *identifiers* (name, email address, telephone number) and your *sensitive information* (password). We use this information to communicate with you and to facilitate your access to your application.
- **Information from references.** When you provide references with your application, we will obtain from your references, your *professional or employment information* (work skills), and will draw *inferences* from your references, such as their thoughts on how your skills might enable you to succeed in the position you have applied for. We use this personal information to assess your suitability for the position for which you have applied.
- **Monitor work-related licenses and credentials.** We collect from you as well as from educational institutions, personal and professional references your *personal identifiers* (name) and your *professional information* (licenses, credentials, employment history, educational history, resume/CV). We use this information to manage work-related licenses and credentials.

- **Verify your education.** We collect from you as well as from background check providers, and education institutions, your *non-public education information* (verification of education level completed, verification of dates enrolled in educational institutions, certifications obtained, report cards, transcripts). We use this information to verify your education for employment purposes. Your identifiers and education information will be shared with the education institutions you list on your application.
- **Conduct a background check.** When a background check is requested as part of the candidate review process, we will collect, from you, your *personal identifiers* (name, date of birth, and physical address) and *sensitive identifiers* (Social Security number). Social Security number is considered sensitive under the CPRA. We share this information with a background check provider in order to conduct a background check to verify your identity, credentials, and criminal history, and to facilitate the background check. For positions where a pre-employment drug test is required, we share your *personal identifiers* (name, date of birth, email address, telephone number, physical address) with a third-party drug screening provider to facilitate and arrange the screening. We will subsequently collect your *health information* (drug test results) from this provider. We use this information to confirm you adhere to H&M USA's drug policy.

We process your personal information for as long as our processing purposes, the legal retention periods, and our legitimate interests in documentation and keeping evidence or when storage is a technical requirement. If there are no contrary legal or contractual obligations, we will retain this information for such time as permitted by applicable law.

However, if you are hired, your information will become part of your personnel file and subject to our Employee Privacy Notice. We may need to use and retain your personal information for longer than these reasons for purposes of:

- *Compliance with our legal obligations.* For example, retaining your employee records (if hired) the purpose of accounting, dispute resolution and compliance with labor, tax and other financial regulations.
- *Meeting our safety and security commitments.* For example, keeping our properties secure and preventing fraud.
- *Exercising or defending legal claims.* We also may need to retain information for longer than the above periods in order to meet with legal process or enforceable governmental request, or to enforce our Terms of Use, including investigation of potential violations.

## HOW WE SHARE YOUR PERSONAL INFORMATION

### A. General Sharing

H&M USA shares personal information in the following instances:

- **Within H&M Group.** We share applicant personal information among our hiring decision-makers (i.e. human resources department, senior management, and hiring managers) to assess applications and make hiring decisions. Access to applicant personal information is limited to those on a need-to-know basis.
- **In the event of a corporate reorganization.** In the event that we enter into, or intend to enter into, a transaction that alters the structure of our business, such as a reorganization, merger, acquisition, sale, joint venture, assignment, consolidation, transfer, change of control, or other disposition of all or any portion of our business, assets or stock, we would share personal information with third parties, including the buyer or target (and their agents and advisors) for the purpose of facilitating and completing the transaction. We will also share personal information with third parties if we undergo bankruptcy or liquidation, in the course of such proceedings.

- **For legal purposes.** We share your personal information where we are legally required to do so, such as in response to court orders, governmental/regulatory bodies, law enforcement or legal process, including for national security purposes. We may share your information with our legal advisors or auditors to establish, protect, or exercise our legal rights or as required to enforce our terms of service or other contracts or to defend against legal claims or demands. We also share this information with third parties as necessary to: detect, investigate, prevent, or take action against illegal activities, fraud, or situations involving potential threats to the rights, property, or personal safety of any person; to comply with the requirements of any applicable law; or to comply with our legal obligations.
- **With your consent.** Apart from the reasons identified above, we may request your permission to share your personal information for a specific purpose. We will notify you and request consent before you provide the personal information or before the personal information you have already provided is shared for such purpose. You may revoke your consent at any time and may do so by contacting us via email [USRecruitment@hm.com](mailto:USRecruitment@hm.com).

## **B. Sharing in the Preceding Twelve (12) Months**

**For Business Purposes.** In the preceding twelve (12) months, H&M USA has disclosed the following categories of personal information for a business purpose to the following categories of third parties:

- We have disclosed your *personal identifiers* and *internet or other electronic network activity information* to IT support to detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, and to identify and repair errors that impair functionality.
- We have disclosed your *personal identifiers* and *education information* with the education institutions you list in your application and with background check providers to confirm the accuracy of the information you provide in your application. We also disclose your *sensitive identifiers* to the background check provider to allow them to complete their background check.

## **C. Sale of Personal Information**

H&M USA does not sell applicant personal information, nor does it share this information with third parties for cross-context behavioral advertising (i.e. targeted advertising). H&M USA does not sell or share applicant personal information for monetary consideration.

## **RIGHTS OF CALIFORNIA APPLICANTS**

The California Consumer Privacy Act of 2018 (“**CCPA**”), as amended by the California Privacy Rights Act (“**CPRA**”) (collectively, “**CPRA**”) entitles California residents to certain rights. If our processing of your personal information is subject to the CPRA, you are entitled to the following rights:

- **Right to Access/Know.** You have the right to request what personal information we have collected, used, disclosed, and sold about you, unless doing so proves impossible or would involve disproportionate effort. You may only make a request for access twice within a 12-month period.
- **Right to Deletion.** You have the right to request the deletion of your personal information that we collect or maintain, subject to certain exceptions. For example, if we are required by law to retain the information that you are asking to be deleted, we would not be able to delete the information until we are legally permitted to delete it.

- **Right to Correct.** You have the right to correct inaccurate personal information that we collect or maintain.
- **Right to Opt Out of Sale/Sharing.** You have the right to opt out of the sale or sharing of your personal information to third parties. However, H&M USA does not sell or share applicants' personal information in a manner which gives rise to this right.
- **Right to Non-Discrimination.** You have the right to not receive discriminatory treatment if and when you exercise your rights to access, delete, opt out, correct, or limit use of sensitive personal information under the CPRA.
- **Right to Limit Use of Sensitive Personal Information.** You have the right to limit the use of your sensitive personal information when such use goes beyond that which is necessary for the application process or certain other permissible purposes like fraud, customer service or quality control. Sensitive personal information includes Social Security number, driver's license number, biometric information, precise geolocation, and racial and ethnic origin. However, H&M USA does not process sensitive personal information in a manner which gives rise to this right.

## HOW YOU CAN EXERCISE YOUR RIGHTS

To exercise your privacy rights, you may submit a request by emailing us at [dltalentamericas@hm.com](mailto:dltalentamericas@hm.com) (subject line: "Privacy Request") or by contacting us toll-free at 855-466-7467.

For requests submitted via telephone, you must provide us with sufficient information that allows us to reasonably verify that you are the person about whom we collected the personal information and describe your request with sufficient detail to allow us to properly evaluate and respond to it. In doing so, we will take steps to verify your request by matching information provided by you with the information we have in our records. If we are not able to verify your identity for access and deletion requests with the information provided, we may ask you for additional pieces of information.

Only you, or a person that you authorize to act on your behalf may make a request related to your personal information. If you are an authorized agent making a request on behalf of another individual, you must provide us with signed documentation that you are authorized to act on behalf of that individual.

## RIGHTS OF ALL APPLICANTS

Regardless of your state of residence, you may be entitled to certain rights under applicable labor laws. For more information, please email us at [dltalentamericas@hm.com](mailto:dltalentamericas@hm.com) and include "Labor Law Inquiry" in the subject line.

## INFORMATION SECURITY

We implement appropriate technical and organizational security measures, such as access controls and encryption and 24-7 threat monitoring, to protect the personal information that we collect and maintain from unauthorized access, destruction, use, modification, or disclosure. However, no security measure or modality of data transmission is 100% secure, and we are unable to guarantee the absolute security of the personal information we have collected from you.

## CHANGES TO THIS PRIVACY NOTICE

H&M USA reserves the right to update or modify this Privacy Notice at any time without prior notice. If we do, we will post the changes to this site, and will indicate the date the changes go into effect. We encourage you to

review our Privacy Notice to stay informed. If we make changes that materially affect your privacy rights, we will notify you by prominent posting on H&M USA's Job Portal, and obtain your consent, if required.

## **CONTACT US**

If you have any questions about this Privacy Notice or need to access this Privacy Notice in an alternative format due to having a disability, please contact us via email at [dltalentamericas@hm.com](mailto:dltalentamericas@hm.com).