

## Notification - Processing of Personal Data



*Date: July 2021*

This Recruitment Notification is addressed to candidates for jobs with Endeavor Air ("**Endeavor**"/"**we**"/"**us**"/"**our**").

Endeavor collects, stores, and uses candidates' personal information and is a "controller" of this personal information under data protection law.

We take your privacy seriously. This Recruitment Notification is to help you understand what personal information we collect, why we collect it, and what we do with it.

### Contacting Us

If you have questions about our use of your information or about this Recruitment Notification, please contact us at [peopledepartment@endeavorair.com](mailto:peopledepartment@endeavorair.com).

Our Data Protection Officer may be contacted at:

Data Protection Officer  
1030 Delta Blvd.  
Department 981  
Atlanta, GA 30354, USA

or by email at [Privacy@delta.com](mailto:Privacy@delta.com).

### Information that we collect about you and how and why we use it

We collect information below about you when you apply for a job and throughout the job application or recruitment process. If you do not provide certain information when requested, we will not be able to process your application. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your recruitment time with us.

We may also collect your personal information from other sources and combine it with the personal information you provide to us.

This section describes what personal information we collect about you from various sources, how we use this information, and the purposes for which we use it.

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	Types of Data from the Following Sources	How we use it	Legal basis
a.	<p>Information provided in your curriculum vitae, application form, and cover letter including:</p> <ul style="list-style-type: none"> <li>• name, education, and qualifications; and</li> <li>• home address, personal email address, and telephone numbers.</li> </ul>	<p>We use this information for the purposes of:</p> <ul style="list-style-type: none"> <li>• Recruitment management, including communicating with you in connection with the recruitment process; and</li> <li>• on-boarding you as an employee if we hire you.</li> </ul>	<p>Our legal reasons for using this information are:</p> <ul style="list-style-type: none"> <li>• we have obtained your consent at the time of collection;</li> <li>• it is in our legitimate business interests of recruiting our workforce</li> <li>• legal or other professional advice including in relation to legal disputes in relation to you or others, or to make or defend such claims</li> </ul>
b.	<p>Further information collected from your curriculum vitae, application form, cover letter and during the interview and new hire process or created by us during the recruitment process including:</p> <ul style="list-style-type: none"> <li>• date of birth, age, gender;</li> <li>• social security number</li> <li>• employment history;</li> <li>• interview notes;</li> <li>• military service;</li> <li>• Eligibility to work in the country you are applying to;</li> <li>• test scores; and</li> <li>• correspondence between us.</li> </ul>	<p>We use this information for the purposes of:</p> <ul style="list-style-type: none"> <li>• progressing the recruitment process, including assessing and making a decision about your suitability for a role; and</li> <li>• verifying compliance with our policies and procedures in regards to recruitment.</li> <li>• on-boarding you as an employee if we hire you.</li> </ul>	<p>Our legal reasons for using this information are:</p> <ul style="list-style-type: none"> <li>• it is in our legitimate business interests of ensuring we have a suitable workforce;</li> <li>• we have obtained your consent at the time of collection;</li> <li>• it can be necessary to take legal or other professional advice for legal disputes in relation to you or others, or to make or defend such claims;</li> <li>• performing a legal obligation to which we are subject, including under aviation laws and rules.</li> </ul>
c.	<p>Information collected from third parties:</p> <ul style="list-style-type: none"> <li>• professional references whose contact details you provide;</li> <li>• recruitment agencies;</li> <li>• social media such as LinkedIn;</li> <li>• pre-employment assessment results; and</li> <li>• pre-recorded and video interviews;</li> <li>• Background investigation data; employment; education; motor vehicle records, criminal, and court records background check</li> </ul>	<p>We use this information for the purposes of:</p> <ul style="list-style-type: none"> <li>• progressing the recruitment process, including assessing and making a decision about your suitability for a role; and</li> <li>• communicating with you with regard to the recruitment process.</li> </ul>	<p>Our legal reasons for using this information are:</p> <ul style="list-style-type: none"> <li>• it is in our legitimate business interests of ensuring we have a suitable workforce.</li> </ul>

d.	<p>Information about criminal convictions:</p> <ul style="list-style-type: none"> <li>• for some roles, and where permitted by law, we carry out or receive the results of background checks or we ask you about criminal convictions, as part of the recruitment process.</li> </ul>	<p>We use this information for the purposes of:</p> <ul style="list-style-type: none"> <li>• compliance with a legal or regulatory obligation under aviation law; and</li> <li>• ensuring the safety of our flights and passengers.</li> </ul>	<p>Our legal reasons for using this information are:</p> <ul style="list-style-type: none"> <li>• compliance with legal or regulatory;</li> <li>• we have obtained your consent in accordance with applicable local law at the point of collection</li> </ul>
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e.	<p>Special categories of personal data (these categories are considered more sensitive):</p> <ul style="list-style-type: none"> <li>• information related to health or disabilities;</li> <li>• for some roles, we ask you to cooperate with drug- testing, carried out by a service provider on our behalf;</li> <li>• racial and ethnic origin information, where this is disclosed by immigration and naturalization records.</li> </ul>	<p>We use this information for the purposes of:</p> <ul style="list-style-type: none"> <li>• considering if we need to provide appropriate adjustments during the recruitment process and to ascertain your fitness to work; and</li> <li>• to comply with any legal or regulatory obligation, including employment and immigration law.</li> </ul>	<p>Our legal reasons for using this information are:</p> <ul style="list-style-type: none"> <li>• compliance with duties under employment, social security and social protection law;</li> <li>• purposes of preventative or occupational medicine, for the assessment of your working capacity, medical diagnosis or provision of health care;</li> <li>• legal or other professional advice including in relation to legal disputes in relation to you or others, or to make or defend such claims;</li> <li>• we have obtained your consent to collect in accordance with applicable law at the point of collection</li> </ul>
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Where we base our use of your information on our legitimate interests, we will have assessed that those interests are not overridden by your interests or rights which require protection of your data.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

We do not foresee that we will take any decisions about you during the recruitment process using automated means. However we will inform you if this position changes, for example, if we require your to take a psychometric test, and then you will be entitled to contest the decision.

In some circumstances we may anonymize your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

## Consent

In the limited circumstances where you may have provided your consent to the collection and processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time.

To withdraw your consent, please contact us at [peopledepartment@endeavorair.com](mailto:peopledepartment@endeavorair.com). The withdrawal of your consent will not affect the lawfulness of processing based on the consent before its withdrawal at any time.

## Information that we share

We will share your personal information with companies, organizations, and individuals outside of Endeavor where one of the following circumstances applies:

- for recruitment administration and management, subject to us taking reasonable measures to ensure that your information is kept secure at all times;
- to trusted third parties businesses, or persons who perform services and process your personal information for us for the purposes listed above, based on our instructions, subject to us taking reasonable measures to ensure that your information is kept secure at all times;

- to Endeavor's auditors, consultants, and other professional advisers for purposes of their providing us with their professional services;
- to security agencies and competent authorities, companies, organizations, or individuals outside Endeavor if we have a belief in good faith that access, use, preservation, or disclosure of the information is reasonably necessary to:
  - meet any applicable law, regulation, legal process, or enforceable governmental request;
  - investigate potential violations;
  - detect, prevent or otherwise address fraud or security issues; or
  - protect against harm to the rights, property, or safety of Delta, our customers or the public, as required or permitted by law.

## **Retention of your information**

We will keep your information:

- for the duration of the recruitment process and for the length of any applicable limitation period for claims which might be brought against us later. If you are successful in applying for a position, your personal information will be retained for a further period, as set out within our Employee Notification; or
- otherwise in accordance with Endeavor's Records Management Policy and Records Retention Schedule.

## **Cross-border transfers of personal information**

If you reside outside the United States, the information we collect from you may be transferred to, and stored, outside of your country of residence to Endeavor or its third party suppliers in the United States and other countries where Endeavor or its Affiliates have offices.

Countries to which your information is transferred may not have the equivalent of data protection laws as those in your country of residence. If we need to transfer your data to a country which does not demonstrate an adequate level of protection under applicable law, we take steps to make sure your personal data is handled in line with applicable law and the transferee applies appropriate safeguards. If you would like to obtain the details of such safeguards, you can request these from the Data Protection Officer at [Privacy@delta.com](mailto:Privacy@delta.com).

In some limited circumstances, we may also transfer your information from your location to other countries where permitted by applicable law, for example under Article 49, GDPR, in the case of transfers from the EEA. This includes where it is necessary for the performance of a contract between us and you and where the transfer is necessary in connection with legal proceedings.

## Your rights

You have a number of rights in relation to our handling of your data, which may include the following where provided by applicable law:

- **Access:** the right to ask us if we are processing your information and, if we are, you can request access to your personal information (commonly known as a "data subject access request").
- **Correction:** the right to request that any incomplete or inaccurate personal information we hold about you is corrected.
- **Erasure:** the right to ask us to delete or remove personal information .There are circumstances where we may refuse a request for erasure, for example, where the personal data is required for compliance with law or in connection with claims.
- **Restriction:** the right to ask us to suspend the processing of your personal information about you.
- **Transfer or portability:** you may request the transfer of your personal information to another party.
- **Objection:** where we are processing your personal information based on a legitimate interest (or those of a third party) you may object to processing on this ground. However we may be entitled to continue processing your information based on our legitimate interests. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Automated decisions:** the right to contest any automated decision made about you where this has a legal or similar significant effect and ask for it to be reconsidered.

If applicable law provides the above rights and if you want to exercise any of them, please contact the Data Protection Office in writing as indicated above.

**Complaints: Where provided by applicable law, you may have a right to lodge a complaint with a supervisory authority where you are habitually resident, where you work, or where an alleged infringement of Data Protection law has taken place.**

## Changes to this notice

This notice will be changed from time to time. We will post any changes to our Website. This Recruitment Notification is not a contract and does not create any contractual rights or obligations.