

**MEDIATEK USA INC.**

**PRIVACY NOTICE AND POLICY**

**CALIFORNIA-RESIDENT INDEPENDENT CONTRACTORS**

(last reviewed and updated December 31, 2022)

The following privacy notice and policy is applicable to California-residents working as independent contractors of MediaTek USA Inc. or any of its affiliate entities (collectively, “Company” or “MediaTek”), with respect to whom the Company collects and processes Personal Information:

**A. DEFINITIONS**

The following definitions apply to this privacy notice:

**Personal Information:** means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual or household. Personal Information includes, but is not limited to, the following if it identifies, relates to, describes, is reasonably capable of being associated with, or could be reasonably linked, directly or indirectly, with a particular individual or household: identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, internet protocol address, email address, account name, social security number, driver’s license number, passport number, or other similar identifiers, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, health insurance information, biometric or genetic information (see Section B below for an explanation of Personal Information we collect and process).

**Sensitive Personal Information:** means Personal Information that reveals (a) your Social Security or other state identification number; (b) your account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; (c) your geolocation; (d) your racial or ethnic origin, religious or philosophical beliefs, or union membership; (e) the contents of your mail, email, or text messages, unless the business is the intended recipient of the communication; and (f) your genetic data.

**B. THE INFORMATION WE COLLECT AND PROCESS**

1. The Company collects and processes Personal Information about you as an independent contractor. Such details, by category, may include (but are not limited to), as applicable:
  - a. Personal identifiers, including your name, email address, phone number(s), physical address;

- b. Professional or services-related information, including your resume/curriculum vitae history, independent contractor agreement, whistle-blowing and other complaints (including details of actual or potential work disputes in which you are involved);
  - c. Education information, including your academic history, degrees, and qualifications;
  - d. Characteristics of protected classifications under California or federal law, including citizenship;
  - e. Emergency contact information;
  - f. Audio/visual information, including photos and audio recordings;
  - g. Information pertaining to business travel; and
  - h. Sensitive Personal Information, including:
    - i. Social security number used for processing payments;
    - ii. Citizenship information for export control compliance purposes;
    - iii. Health-related information, including information about work-related accidents or injuries and photographs, body temperature (for any health checks permitted by law).
2. The Company collects your Personal Information directly from you, any third party reference providers, third party background check providers, your prior or current customers, and travel service providers.

### **C. HOW WE USE THE INFORMATION**

1. The Company uses this Personal Information to the extent that it is necessary for the Company's legitimate interests (including, without limitation, for operations), for the performance of your contract, and to enable the Company to comply with its legal obligations (such as, for processing in relation to tax reporting and export control compliance). In rare situations, such data may need to be disclosed as part of the disclosure process in legal proceedings. The Company will not sell your Personal Information under any circumstances (though a transfer of your Personal Information may be necessary as part of any sale of the business – see Section D.1.f. below for more specifics).
2. Without limitation, the Personal Information may be used within the Company for the following reasons, as applicable:
  - a. Engagement purposes. For example, such purposes include, conducting an evaluation of your professional history and experience and suitability for an independent contractor role;
  - b. Administration and payment of your fees;
  - c. Negotiation or communication with you;
  - d. Compliance with Company policies and/or legislation in relation to health, safety, export control compliance, and other workplace matters (including as part of

- disciplinary or anti-harassment procedures or risk assessments);
- e. Reporting and investigating alleged violations of Company policy or for other internal investigations;
  - f. Analysis for management purposes and statutory returns;
  - g. Contacting designated contact in case of an emergency;
  - h. Organizing and coordinating business travel;
  - i. Processing end of contractual services;
  - j. The Company may from time to time process Personal Information about you if required by law for statistical or reporting purposes; and

The Company does not process your Sensitive Personal Information (to the extent the Company collects it as described herein) except as necessary for the purposes expressly set forth herein.

#### **D. WHO WE DISCLOSE THE INFORMATION TO AND FOR WHAT PURPOSES**

1. When required, the Company discloses Personal Information to third parties, including without limitation, the following:
  - a. Group Companies. Most typically this would mean information being disclosed to the HR, legal, audit and finance Departments of any MediaTek affiliate (each, a “Group Company” and collectively, “Group Companies”), including the Company’s parent entity in Taiwan. In connection therewith, the Company discloses to Group Companies personal identifier information, professional or contract-related information, audio/visual information, emergency contact information, or Sensitive Personal Information as part of business operations undertaken in the overseas destination, and for the purposes of investigations undertaken by the Company (including with respect to whistleblowing-related activities);
  - b. External legal or accounting professionals or applicable authorities (including state or federal police and tax authorities, and other regulatory authorities). In this case, the Company discloses personal identifier information, professional/contract-related, emergency contact information and Sensitive Personal Information, to the extent necessary, for export compliance purposes, conducting investigations or reporting violations of applicable law or other wrongful acts or omissions, for safety purposes, legal actions (including in preparation for litigation), tax reporting/audit functions, or as otherwise necessary to comply with applicable law (including, without limitation, in connection with whistleblowing activities);
  - c. Third party database or data storage providers. In this case, the Company

- discloses your Personal Information for purposes of data maintenance and/or storage inside and outside of the U.S., including in Taiwan or in Europe;
- d. Third party service providers. The Company discloses personal identifier information for travel-related services;
  - e. Third party background check service providers. The Company discloses your personal identifier information and social security number as necessary for purposes of conducting any background checks to the extent permitted by applicable law; and
  - f. Third party acquirers of the Company's business. If the Company, or part or all of its business is sold, or integrated with another business, data relating to you (your name and independent contractor agreement), may need to be disclosed to the Company's advisers and any prospective purchasers and their advisers and will be passed to the new owners of the business. Before a sale or integration, such information may be required as part of the due diligence process.
2. Without limiting the above, as to the Company's whistle-blowing policy (included in the Company's employee handbook) provides a reporting mechanism for concerns about potential or actual wrongdoing, including violations of laws, rules and regulations, within the Company. Such reports may result in the transfer of Personal Information to authorized personnel within the Company and other Group Companies and in particular to certain employees of MediaTek Inc. in Taiwan. This data will be reviewed by the recipients and it may be necessary for reports to be compiled based on the data received and for those reports to be filed with regulatory bodies in the U.S. and elsewhere in the world. The data may also be used as part of any disciplinary process pursued against alleged wrongdoers.
  3. **The Company does not "sell" or "share" (as those terms are defined under the California Privacy Rights Act (the "CPRA")) your Personal Information.**

## **E. RETENTION**

The Company will retain your Personal Information for the longer of (i) such time as the data is no longer needed for the administration of your independent contractor agreement, and (ii) such time as the data is no longer needed to comply with applicable law or other compelling interest exists which is sufficient to allow retention under applicable law (for example, where the data is necessary to defend or establish a legal claim by or against you).

## **F. YOUR RIGHTS WITH RESPECT TO PERSONAL INFORMATION WE PROCESS**

1. Without limiting your rights under the CPRA and subject to certain exceptions, you have the following rights with respect to your Personal Information in the Company's possession or control:
  - a. Right to Know Categories of Personal Information Collected. You have the right to know (and may request from the Company), at no charge, what categories of

Personal Information the Company has collected about you, the categories of sources from whom it was collected, the business or commercial purpose for collecting or selling the Personal Information, and the categories of third parties with whom we shared Personal Information.

- b. Right to Access Specific Pieces of Personal Information. At your request and at no charge, the Company will provide you a copy of your Personal Information in the Company's possession or control. If you request, and to the extent technically feasible, the Company shall provide the copy of such data in a structured, commonly used, machine-readable format. Furthermore, at your request, the Company will transmit any such automated data directly to a third party you specify where this is technically feasible.
- c. Right to Correct Inaccurate Personal Information. At your request, the Company shall correct any inaccuracies in your Personal Information that the Company holds.
- d. Right to Delete the Personal Information Collected. Subject to certain exceptions, you have the right to have your Personal Information deleted.
- e. Right to be Free from Unlawful Retaliation. The Company is prohibited from unlawfully retaliating against you for lawfully exercising any of your rights under the CPRA.

## **G. HOW TO EXERCISE YOUR RIGHTS**

You may exercise any of the above rights by either calling, toll-free (800) 507-4362, or by communicating in writing or via email to the Company's HR department: HR Manager US, MediaTek USA Inc., 2840 Junction Ave., San Jose, CA 95134 (MTK.USHR@MEDIATEK.COM). If not readily apparent by virtue of the request, the Company may confirm your identity or the specifics of your request by requesting proof of identification and/or reasonable further specifics or documentation concerning your request, as applicable.

## **H. SECURITY**

We follow generally accepted industry standards to protect the personal information submitted to us and have implemented reasonable technical, organization, administrative and physical measures to protect personal information. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, we cannot guarantee its absolute security and encourage you to use websites and share information with caution.

## **I. CHANGES TO PRIVACY NOTICE.**

This Privacy Notice is subject to change by the Company at any time and from time to time. We will notify you of any material changes to this Privacy Notice as required by law.