

## **European Union Job Applicant Privacy Notice**

### **Scope and Overview**

This Privacy Notice describes how Aegion Corporation and its subsidiaries located in the European Union (“Aegion”, the “Company”, “we” or “us”) collect and process personal data about you during the application and recruitment process. This Privacy Notice applies to job applicants in the European Union only.

Pursuant to the requirements under the General Data Protection Regulation 2016/679, we are providing you this Privacy Notice to provide you a description of the categories of personal data that we collect, how we use your personal data, how we secure your personal data, when we may disclose your personal data to third parties, and when we may transfer your personal data outside of your home jurisdiction. This Privacy Notice also describes your rights regarding the personal data that we hold about you and how you can access, correct, and request erasure of your personal data.

We will only process your personal data in accordance with this Privacy Notice unless otherwise required by applicable law. We take steps to ensure that the personal data that we collect about you is adequate, relevant, not excessive, and processed for limited purposes.

### **Collection of Personal Data**

For purposes of this Privacy Notice, personal data means any information about an identifiable individual collected in connection with the recruitment process. Aegion may collect personal data directly from you, as a job applicant, or may receive personal data from third parties, for example, in connection with a background, employment, or reference check, subject to your consent where required by law. Personal data excludes anonymous or de-identified data that is not associated with a particular individual.

We may collect, store, and process the following categories of personal data in connection with our recruiting activities:

At the initial stages of recruitment, we may collect, hold and use the following types of ordinary personal data about you:

- Information contained in your application form/CV/covering letter, including your name, title, contact details, photograph, employment history, experience, skills, qualifications/training (including educational, vocational, driving licences where appropriate), referees’ names and contact details, etc.
- Publicly available information about you, such as your business social media presence.
- Selection information, including correspondence, interview notes, internal notes, the results of any written or online selection tests.
- Any additional personal details that you otherwise voluntarily provide to us.

If you are shortlisted for a position, or you receive a conditional offer of employment, we may collect, hold and use the following additional types of ordinary personal data about you:

- Pre-employment check information, including references and verification of qualifications.
- Right to work checks and related documents.
- Any additional personal details that you otherwise voluntarily provide to us.

### **Use of Personal Data**

We only process your personal data where applicable law permits or requires it in connection with carrying out our application and recruitment process. We may process your personal data for the following legitimate business purposes:

- Identifying and evaluating job applicants, including assessing skills, qualifications, and interests.
- Verifying your information and carrying out employment, background, and reference checks, where applicable, subject to your consent where required by applicable law.
- Communicating with you about the recruitment process and your application.
- Keeping records related to our hiring processes.
- Creating and submitting reports as required by applicable laws or regulations.
- To comply with our legal, regulatory, or other corporate governance requirements.
- Analyzing and improving our application and recruitment process.
- Complying with applicable laws, regulations, legal processes, or enforceable government requests.
- To protect the rights and property of Aegion, other job applicants, employees, or the public, as required or permitted by law.

In addition to using your personal data for the position for which you have applied, we may retain and use your personal data to inform you about and consider you for other positions that may be appropriate for you. If you do not want to be considered for other positions or would like us to remove your personal data, you may contact our data protection officer in writing or by e-mail.

We will only process your personal data for the purposes for which we collected it. If we need to process your personal data for an unrelated purpose, we will provide notice to you and, if required by law, seek your consent. We may process your personal data without your knowledge or consent where required by applicable law or regulation.

We may also process your personal data for our own legitimate interests, including for the following purposes:

- To prevent fraud.
- To ensure network and information security, including preventing unauthorized access to our computer and electronic communications systems and preventing malicious software distribution.
- To support internal administration with our affiliated entities.

You will not be subject to hiring decisions based solely on automated data processing without your prior consent.

### **Collection and Use of Sensitive Personal Data**

The following categories of personal data may be considered sensitive under the laws of your jurisdiction and may receive special protection:

- Race or ethnic origin.
- Political opinions.
- Religious, philosophical, or moral beliefs.
- Trade union membership.
- Social welfare, sexual life, or sexual orientation.
- Physical or mental health or condition.
- Unlawful or objectionable conduct, criminal charges, or convictions.
- Biometric information.
- Genetic data.

We will only collect, hold and use limited types of sensitive personal data about you during the recruitment process, as described below. Our legal ground for using this information is that we need it to comply with a legal obligation/exercise a legal right in relation to employment – for example, the obligations not to discriminate, and to make reasonable adjustments to accommodate a disability.

At the initial stages of recruitment, we may collect, hold and use the following special category data about you:

- **Equal opportunities monitoring:** Equal opportunities monitoring data which could include information about your race or ethnicity, religious beliefs, sexual orientation or health. We may use this information to monitor equality of opportunity and diversity in our recruitment process
- **Adjustments for disability/medical conditions:** Information relevant to any request by you for adjustments to the recruitment process as a result of an underlying medical condition or disability. We may use this information to enable us to carry out a fair, non-discriminatory recruitment process by considering/making reasonable adjustments to our process as appropriate.

If you are shortlisted for a position, or you receive a conditional offer of employment, we may collect, hold and use the following additional types of special category personal data about you:

- **Pre-employment health questionnaires/medicals (if applicable to your line of work):** We may collect information about your health in a pre-employment medical questionnaire and/or examination, as well as any information about underlying medical conditions and adjustments that you have brought to our attention. We use this information to assess whether you are fit to do the job with adjustments, to consider/arrange suitable adjustments and to comply with health and safety requirements.
- **Criminal records information (if applicable to your line of work):** We may request criminal records checks. We use this information to assess your suitability for the role and verify information provided by you.

Where we have a legitimate need to process your sensitive personal data for purposes not identified above, we will only do so only after providing you with notice and, if required by law, obtaining your prior, express consent.

## **Data Sharing**

We do not sell, rent or otherwise disclose personal data we collect to third parties in the ordinary course of business. We will only disclose your personal data to third parties where required by law or to our employees, contractors, designated agents, or third-party service providers who require such information to assist us with administering the recruitment process, including third-party service providers who provide services to us or on our behalf. We may use third-party service providers for various purposes, including, but not limited to, obtaining employment verification and background checks. These third-party service providers may be located outside of the country in which you live or the country where the position you have applied for is located.

We require all our third-party service providers, by written contract, to implement appropriate security measures to protect your personal data consistent with our policies and any data security obligations applicable to us. We do not permit our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes in accordance with our instructions.

We may also disclose your personal data for the following additional purposes where permitted or required by applicable law:

- To a recruiting firm to assist in our recruiting efforts.
- To other members of our group of companies (including outside of your home jurisdiction) for the purposes set out in this Privacy Notice and as necessary to administer the application and recruitment process.
- As part of our regular reporting activities to other members of our group of companies.
- To comply with legal obligations or valid legal processes such as search warrants, subpoenas, or court orders. When we disclose your personal data to comply with a legal obligation or legal process, we will take reasonable steps to ensure that we only disclose the minimum personal data necessary for the specific

- purpose and circumstances.
- To protect the rights and property of Aegion.
- During emergency situations or where necessary to protect the safety of persons.
- Where the personal data is publicly available.
- For additional purposes with your consent where such consent is required by law.

### **Cross-Border Data Transfers**

Where permitted by applicable law, we may transfer the personal data we collect about you to the United States and other jurisdictions that may not be deemed to provide the same level of data protection as your home country for the purposes set out in this Privacy Notice. Aegion relies on our EU-US Privacy Shield certification to secure the transfer of your personal data to the United States. To achieve and maintain such Privacy Shield certification, we must adhere to a number of Privacy Shield principles and core requirements that are consistent with EU law. This includes requirements such as:

- Maintaining data integrity and purpose limitation
- Implementing appropriate security controls and policies
- Ensuring accountability for data transferred to third parties
- Conducting reviews on an annual basis that all Privacy Shield requirements are met

Pursuant to the Privacy Shield, Aegion is subject to the investigatory and enforcement powers of the Federal Trade Commission. A copy of Aegion's Privacy Shield Policy may be viewed on our website [www.Aegion.com](http://www.Aegion.com) under *Investors - Corporate Governance - Compliance Policies*.

### **Data Security**

We have implemented appropriate physical, technical, and organizational security measures designed to secure your personal data against accidental loss and unauthorized access, use, alteration, or disclosure. In addition, we limit access to personal data to those employees, agents, contractors, and other third parties that have a legitimate business need for such access.

### **Data Protection Officer**

We have appointed a data protection officer in the EU to oversee compliance with this Privacy Notice. The contact information for our data protection officer is as follows: e-mail to [privacy.eu@aegion.com](mailto:privacy.eu@aegion.com) or by mail to Data Protection Officer, Insituform Europe, Chroomstraat 91, 2718 RT, Zoetermeer, Netherlands.

### **Data Retention**

Except as otherwise permitted or required by applicable law or regulation, we will only retain your personal data for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Under some circumstances we may anonymize your personal data so that it can no longer be associated with you. We reserve the right to use such anonymous and de-identified data for any legitimate business purpose without further notice to you or your consent.

If you are offered and accept employment with Aegion, the personal data we collected during the application and recruitment process will become part of your employment record, and we may use it in connection with your employment consistent with our employee personal data policies. If you do not become an employee, or, once you are no longer an employee of Aegion, we will retain and securely destroy your personal data in accordance with our document retention policy and applicable laws and regulations.

### **Notification and Consent**

We only ask you to provide personal data that we need to enable us to make a decision about whether or not to offer you a role. If you do not provide particular information to us, then we will have to make a decision on whether or not to offer you a role without that information, which in some cases could result in us deciding not to recruit you. If you do not provide us with names of referees or a reference when asked, we will not usually be able to offer you the role. In addition, some of the personal data you provide to us is required by law. For example, if you do not provide us with the documentation we need to check your right to work, then we cannot by law employ you.

If you choose not to provide us with personal data requested, we will tell you about the implications of any such decision at the relevant time.

### **Right to Withdraw Consent**

Where your consent is required for our collection, use or disclosure of your personal data, you may, at any time, subject to legal or contractual restrictions and reasonable notice, withdraw your consent. To withdraw your consent, if applicable, contact our Data Protection Officer. Any such communication must be in writing.

### **Rights of Access, Correction, Erasure, and Objection**

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during the recruitment process. By law you may have the right to request access to the personal data that we hold about you or object to the processing of your personal data under certain circumstances. You may also have the right to request that we transfer your personal data to another party. If you want to review, verify, correct, or request erasure of your personal data, object to the processing of your personal data, or request that we transfer a copy of your personal data to another party, please contact our Data Protection Officer. Any such communication must be in writing. We may charge you a fee to access your personal data, however, we will notify you of any fee in advance. Depending on the jurisdiction where you are located, some of these access rights may not apply.

We may request specific information from you to help us confirm your identity and your right to access, and to provide you with the personal data that we hold about you or make your requested changes. Applicable law may allow or require us to refuse to provide you with access to some or all of the personal data that we hold about you, or we may have destroyed, erased, or made your personal data anonymous in accordance with our record retention obligations and practices. If we cannot provide you with access to your personal data, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

### **Inquiries, Concerns or Complaints**

If you have any questions about this Privacy Notice or concerns about how we manage your personal data, please contact our data protection officer in writing or by e-mail. You may also contact Aegion's Compliance department at [Compliance@aegion.com](mailto:Compliance@aegion.com). We will endeavor to answer your questions and advise you of any steps taken to address the issues raised by you.

If you are unsatisfied with our response to any issues that you raise with the data protection officer or the compliance department, you may have the right to make a complaint with the data protection authority ("DPA") in your jurisdiction.

You may have the right, under certain conditions, to invoke binding arbitration for complaints regarding Privacy Shield compliance not resolved by any of the other Privacy Shield mechanisms. For additional information, go to <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>.

### **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 updates. If we would like to use your previously collected personal data for different purposes than those we notified you about at the time of collection, we will provide you with notice and, where required by law, seek your consent, before using your personal data for a new or unrelated purpose. We may process your personal data without your knowledge or consent where required by applicable law or regulation.

Effective Date: May 25, 2018