

## Privacy Notice for Employee

Effective Date: 1 June, 2021

The EGCO Engineering & Service Company Limited, subsidiary company under the control of the Electricity Generating Public Company Limited which are registered in Thailand (hereinafter referred to as "**the Company**"), give priority to protecting your personal data. This Privacy Notice for Employee (hereinafter referred to as the "**Privacy Notice**") describes how the Company collects, uses, discloses and/or transfers personal data, as well as the rights of the data subjects who are the Company's employee including job applicants, job interviewees, current and former staff of the Company, employees, staff who are transferred from EGCO Group companies, staff who work at other agencies temporarily (secondment), trainees, current and former directors of the Company, persons nominated as directors, executives, as well as other persons related to the above persons, whereby the Company has received personal data from the above persons (Hereinafter referred to as "**you**")

In this Announcement, whenever it refers to personal data, it shall mean information about an individual that makes it possible to identify that person directly or indirectly; or information which has been defined in the applicable Personal Data Protection Law or specified in this Announcement. The Company shall collect your personal data as necessary. If the Company cannot collect, use, disclose and/or transfer personal data as described in this Privacy Notice, it may not be able to consider your employment applications, nor assess you to be its employee, nor enter into employment contract with you, nor perform its duties under such contract, nor continue to perform duties as prescribed by the law.

Please note that in some cases your specific consent may be required for the collection, use, disclosure and/or transfer of your personal data. However, in most cases, the Company will collect, use, disclose and/or transfer the personal data only for purposes related to your relationship with the Company, as specified in this Privacy Notice, without the need for your separate consent.

Please read this Privacy Notice carefully in order to understand how and for what purpose we collect, use, disclose and/or transfer your personal data.

### **1. Personal data that the Company collects from you**

"**Personal data**" means information about an individual that can be used to identify such person's identity, whether directly or indirectly. The Company may collect your personal data in the recruitment process, during an interview, at the beginning of employment, and during the term of employment. In addition, in some cases, the Company may obtain your personal data through (1) EGCO Group companies, (2) Government agencies or law enforcement agencies (such as the Legal Execution Office and Student Loan Fund), and (3) Third parties (such as your reference person, job finding website platform, infirmary that provides health-check services, and banks or financial



institutions that have an agreement with the Company). The Company will collect, use, disclose and/or transfer your personal data in the following categories and types:

**1) Identity information:** such as title, first name, last name, nickname, gender, day/month/year of birth, nationality, height, marital status, military status, details stated in the documents and/or copies of documents that are issued by the government (such as an identity card, birth certificate, certificate of surname change registration, passport, house registration book, marriage certificate, divorce certificate, driving license, evidence of military service, registration of legitimation of child, death certificate), social security number, utility bill, photo, snapshot by a CCTV camera, video clip recording of yourself, signature, and any other information you share with the Company which may be treated as personal data.

**2) Contact information:** e.g. telephone number, mobile phone number, address shown in the house registration book, your current address, email address, and social media accounts (e.g. LINE).

**3) Information as to educational history, employment history, and qualifications:** such as CV/resume, educational history (such as level of education, name of institutions, the location, length of study, qualifications, average scores, activity while studying at school), history, and details of participation in activities or training, work history (such as duration, place of work, type of organization, address, initial salary, latest salary, position, job description, key contribution, cause of issues), hobbies, interests, work attitudes, reasons why desire to work with the Company, certificate of work skills and competencies (such as language skill, computer skill, and other skills that you choose to provide to the Company), certificates related to job duties, professional licenses, whether or not holding any position that may have a stake or a conflict of interest with your job duties, and possession of the Company's securities.

**4) Employment or work information:** such as place of work, position, affiliations (such as department, field of work, plan, section), details specified in the employee identification card (such as employee ID), work history and performance, duty/work performance assessment results, history and details of participation in activities or training, evaluation results for participation in activities or training, information about salary and wages (such as salary rates, annual salary increase information), information about the use of rights, welfare, and other benefits (such as information on disbursement request for medical expenses, eyeglasses and dentistry fees, Uniform cutting information, information on disbursement requests for overtime pay, information on requesting for absence/leave), information for business travel management and monitoring (such as user accounts, passwords, airline memberships, ID number, and passport number), organization's equipment usage information, clocking in and out, travel history, and vehicle registration number.

**5) Financial information:** such as the details specified in the bank book page including its copy, bank account number, tax identification number, information on the payment of personal income tax, loan information, information about payroll deductions and execution (as shown in the payroll deduction notice, court order, or a subpoena), Corporate Card information.

**6) Other information:** such as any other personal data that you have given to the Company on a voluntary basis, or that the Company obtained from an external person or agency in the



recruitment process, during an interview, at the beginning of employment, and during the term of employment. This may include employment applications and other documents; and;

**7) Sensitive personal data:** such as religious information (that shows on your ID card and information that you provided in your employment application, or other related documents) and health information, race information, labor union information, criminal history data, and disability information. The Company shall collect, use, disclose and/or transfer sensitive personal data only with your explicit consent, or as permitted by law.

If you provide a third party's personal data to the Company (such as personal data of your reference person, emergency contacts, family members, and/or beneficiary), or you may ask the Company to disclose the personal data of such third parties to external data subjects, you shall be responsible for providing the details specified by this Privacy Notice to such third parties, as well as asking for consent of the said persons (If consent is required). You should verify the accuracy and completeness of the personal data you have provided and notify the Company of any changes to the personal data provided. In addition, you shall also be responsible for taking all necessary action in order that the Company may legally collect, use, disclose and/or transfer personal data of the said persons as set out in this Privacy Notice.

## **2. How does the Company use your personal data and for what purpose?**

The Company shall collect, use and/or disclose your personal data for the purposes described below, based on the following legal basis (1) When it is necessary for performance of a contract, for executing a contract, or for performing a contract with you, (2) When it is to perform duties under the law, (3) When it is necessary for the legitimate interests of the Company or a third party. This has to be balanced with the basic benefits, rights and freedoms relating to the protection of your personal data, (4) When it is for the purpose to prevent or suppress danger to the life, body, or health of the person, (5) When it is for the public interest, such as to carry out missions in the public interest, or to perform duties in exercising official authority and/or (6) Your consent.

The Company will use the personal data you provide as well as other information for the following purposes:

**1) Recruitment management:** for example, to review and consider the employment applications, references and other documents that you have provided to the Company for assessing the eligibility, screening, checking your background/status, verifying your identity and suitability for hiring you during the hiring or recruiting process. This includes an assessment of your abilities and interests in your career; to record information collected from you as part of the job application process; and to communicate with you in connection with the job application; to enter into a contract and execute an employment contract; to answer your questions; and to make an appointment for an interview.

**2) Management, compensation payment and welfare:** for example, to pay salary, wages, expenses, compensation; to disburse expenses, advances/petty cash; to provide you with various benefits and welfare; to do things concerning insurance and other welfare benefits; to manage food and to use the practices that are appropriate for you; to verify the status and necessary actions in

connection with a financial transaction between you and a bank or financial institution, to calculate the deduction from compensation for submission to the relevant governmental agency and/or the private sector as per the request.

**3) Employee management and employment relationship management:** for example, for work-related management; to consider to assign work as appropriate; to perform various duties and tasks; to make contacts and coordinate within the organisation (such as making appointments and sending meeting documents, notifying the results of the application for permission); to contact and coordinate with third parties (such as coordination in community relations work); to create an organisational chart; to check progress of the work; to grant the right to access a facility or workplace; to deal with disciplinary matters and dismissal, to assess work performance and decide on job promotion; for managing and monitoring business travel (such as application and extension for visa and work permit documents, air ticket booking, providing travel insurance, accommodation booking, Company bus arrangements); for pre-employment and annual health-check-up; to manage and approve requests for leave; to check your labor union membership; for issuing various reference documents when you request; to consider transferring employees to work at other departments temporarily (Secondment), including allowing them to work abroad within the companies in the EGCO Group; to receive an employee's information records; to apply for subscription or privileges; for training; to prevent risks related to the spread of various diseases that may occur in the workplace; for further employment consideration; for retirement consideration; to be the supplementary for consideration on the appointment of directors; to certify documents and enroll the directors of the Company with governmental agencies.

**4) Information technology management:** for example, for the management, implementation, and inspection of information technology and communication systems, both internal and external, including information technology security systems; for checking the system and developing the Company's external database system; and for setting out the right to access various systems of the Company.

**5) Corporate Transactions:** For example, to prove and verify the identity of persons; to appoint representatives, give a proxy or power to handle financial transactions with a bank or financial institution (e.g. proof and verification of identity for executing transactions, entering into a loan agreement, requesting a letter of guarantee, and any other related transactions) in order to allow banks or financial institutions and loan lenders approve the appointment of key management positions in accordance with the loan agreement terms; to commit Hedging transactions and related operations; to carry out legal transactions (e.g. to verify and draft legal and other documents); to provide goods and services, for using outsource services; to prepare work records proposed to the clients; to perform or deliver documents in accordance with customer's requirements regarding safety, occupational health and the working environment; and to apply for the Dow Jones Sustainability Indices (DJSI) assessment.

**6) Protection of the interests of the Company:** for example, creating databases, records, evidence and documents; for providing fundamental infrastructure and operating the Company's business; for exercising their rights or protecting the interests of the Company where it is necessary and legally able to do so (e.g. detection, prevention and response to claims, auditing, investigations, and disciplinary matters (including disclosure of information as to procedure or legal proceedings)); for considering and giving legal opinions; for examining or using as references where it is necessary (for

example, as evidence supporting the preparation of a financial statement and auditing the annual financial statements); to resolve disputes; to enforce the contract of the company; and to establish, use, or submit any legal claims.

**7) Compliance with the laws, rules and policies:** e.g. for compliance with the regulations, rules, orders, policies and guidelines within the organisation (e.g. for complying with the Company's security measures and for conducting internal audits in accordance with the Company's regulations); for complying with the applicable laws, rules, orders and guidelines of the regulators (e.g. for preparing annual report and annual information form (Form 56-1) according to Rules and Regulations of the Securities and Exchange Commission and the Stock Exchange of Thailand); for reporting or providing relevant information to governmental agencies, law enforcement agencies or law enforcement officers; for the purpose of registration, requesting or renewing a license, requesting a work permit; and for tax calculation, inquiries, and remittances; to comply with the law on health examination of employee; to proceed with deductions from compensation and execution as requested by the competent authority).

**8) Life protection:** for example, to prevent or suppress danger to the life, body or health of a person.

**9) Changes in the Company's business:** for example, in the case of the sale, transfer, merger of the business, reorganisation, or other similar case, the Company may transfer your information to one or more third parties, as part of such process.

In addition to the collection, use and/or disclosure of the personal data listed above, the Company shall also collect, use and/or disclose your personal data in a special category, which is known as "**sensitive personal data**", for the following purposes:

- **Information about religion:** For proving and verifying the identity of a person (as shown on the copy of the ID card) and for managing food and for using the practices that are appropriate for you.
- **Health Information:** To carry out recruitment and make consideration for employment; for the health check-up before starting work, the annual health check, and/or compliance with the law on the health examination of employee; to monitor and determine your health trends; to proceed with insurance benefits and other welfare; for leave management and approval; for consideration and assignment of work as appropriate; to perform or deliver documents in accordance with the customer's requirements regarding occupational safety, health and the environment; and for the prevention of risks related to the spread of various diseases that may occur in the workplace.
- **Race information:** To manage recruitment.
- **Labor union information:** To verify your labor union membership status.
- **Criminal Record:** To carry out recruitment and make considerations for employment; to assess your eligibility and suitability for employment during the employment consideration process; and to proceed with execution as requested by the competent authority.
- **Disability information:** To carry out the recruitment and make considerations for employment; to assess your eligibility and suitability for employment during the employment consideration process.

### **3. To whom does the company disclose your personal data?**

The Company may disclose your personal data to third parties, either within or outside Thailand, for the purposes described above, such as (1) Companies in the EGCO Group (2) Business partners of the Company (such as trading partners, asset management companies, infirmaries that provide health check services, life insurance companies, insurance companies, banks or financial institutions or business partners that have an agreement to provide welfare services with the Company), or (3) Outsource service providers of the Company (such as a payroll providers, consulting firms (such as HR consultants, Quality Assessment Review (QAR), Environmental Impact Assessment (EIA), professional advisers (such as auditors, financial advisers, legal advisers), accounting service providers, tax payment service providers, event service providers, translation and printing service providers, license renewal service providers, ticket-booking service providers, visa extension service providers, as well as software providers, information technology service providers, and information technology support service providers.

In some cases, the Company may be required to disclose or share your personal data with (1) governmental agencies, law enforcement agencies, or law enforcement officers (such as the Securities and Exchange Commission, the Stock Exchange of Thailand, Legal Execution Office, Education Loan Fund, Department of Employment, Provident Fund, Social Security Office, Office of Skill Development, Department of Business Development, Department of Consular Affairs, Embassy, Police Stations, Customs Department, District Office, Railway Area Office, Electricity Authority, Water Office, Land Office, Department of Alternative Energy, Development and Efficiency, Provincial Administrative Organisation, and sub-district administrative organisations) or (2) A third party (such as cooperatives, institutions and clubs, training agencies, villages, communities, domestic and international customers), as well as any other third parties, if the Company believes it is necessary to comply with the laws or regulations; to protect the rights of the Company and the third party or personal safety; or to detect, prevent, or resolve problems about corruption, security, or safety.

In some cases, the Company may be required to disclose or share your personal data with investors, shareholders, assignees, persons to whom the right will be assigned, a transferee or a person to be an assignee in case there is an organisational restructuring or debt restructuring, merger, acquisition, disposal, purchase, joint venture, transfer of rights, liquidation, or any other event having a similar nature, and there is transfer or disposal of the Company's, in part or whole, of the business, assets or shares.

### **4. Transfer of your personal data abroad**

The Company may transfer your personal data to a third party in foreign countries, for example (1) Companies within the EGCO Group for the benefit of carrying out their duties and related work. This shall include allowing companies in the said Group to be able to access according to their rights for the temporary transfer of employees to work at other departments (Secondment); for business travel management and monitoring (such as accommodation reservations, work permit

applications); for complying with the security measures of the Company; for the procurement of goods and services; for appointment of directors, certification of documents and registration of the directors of the Company with governmental agencies (2) Banks or financial institutions; for executing various financial transactions (e.g. identification and verification of the person executing a transaction,; to allow banks or financial institutions, loan providers to consider details according to the terms of the loan agreement (3) Governmental agencies, law enforcement agencies or law enforcement officers in foreign countries in order to comply with the applicable laws (4) Outsource service providers of the Company (such as financial advisors, legal advisers, accounting service providers, auditors, payroll providers, tax payment service providers, license renewal service providers, as well as visa extension service providers), for the benefit of using related services and/or (5) Overseas customers, for processing the issue of the invitation letter to apply for a visa.

However, some recipients of the personal data may reside in countries where the personal data protection committee under the Personal Data Protection Act 2019 has not yet issued any announcement stipulating that such countries have adequate standards for personal data protection.

If the Company is obliged to transfer your personal data to a destination country having a personal data protection standard that is not comparable to the standard established in Thailand, the Company will take appropriate steps and measures to safely complete the transfer of your personal data; or in the case that such transfer is permitted under the Personal Data Protection Law, the Company may enter into an agreement with the third party receiving your personal data to ensure that your personal data will be protected according to the protection standards that are appropriately equivalent to those stipulated in Thailand.

## **5. Length of time the Company may keep your personal data**

The Company will collect your personal data as necessary for the purposes for which it was collected as detailed in this Privacy Notice and in accordance with applicable law. However, the Company may keep your personal data for a longer period of time in order to comply with the law, applicable rules, as well as the internal policies or operational requirements of the Company, and as necessary, such as in the event of a dispute.

## **6. Minor, quasi-incompetent person and incompetent person**

In some cases as required by law, the Company may be unable to collect, use and/or disclose the personal data of minors, quasi-incompetent persons, and incompetent persons without the consent of a parent, guardian or curator, so if you are aged under 20 years old, quasi-incompetent or incompetent, you must make sure that you have obtained the consent of a parent, guardian or curator (if consent is needed). If the Company knows that it has collected the personal data of minors without the parent's consent, or collected personal data of a quasi-incompetent or incompetent person without the consent of the guardian or curator, without intent, the Company shall delete such information immediately or collect, use and/or disclose it only if the Company is able to rely on a legal basis other than such consent.

## 7. Your rights

Under the provisions of the applicable laws and related exceptions, you shall have the following rights in relation to your personal data.

- **Access:** You may request data about the collection, use, disclosure and/or transfer of your personal data, including the copies of your personal data, as well as data about how your personal data that is collected without asking for your consent has been obtained.
- **Correction:** You may ask the Company to correct your incomplete, inaccurate, misleading, or outdated personal data.
- **Deletion or destruction of data:** You may request the Company to delete, destroy or anonymous the personal data to become the anonymous data which cannot identify the data subject as required by law.
- **Transfer of data:** You may request to obtain the personal data relating to you in an organized format that can be read or used in electronic format as required by law, in order to transmit or transfer such information to another data controller.
- **Objection:** You may object the collection, use or disclosure of your personal data in some activities described in this Privacy Notice.
- **Restriction of use:** You may request restriction of the use of your personal, data if such data is in the review process to ensure that the information is correct, updated, complete and not misleading; or if such data needs to be deleted because it has been collected illegally etc.
- **Withdrawal of consent:** You may withdraw the consent you have given to the Company for the collection, use, disclosure and/or transfer of your personal data at any time, unless there is a restriction on the right to withdraw your consent as prescribed by law, or a contract that benefits you.
- **Complaints:** You may file a complaint to the competent authority, if you believe that the Company or other person acting on behalf of the Company collects, uses, discloses and/or transfers your personal data unlawfully, or does not comply with the law on the protection of personal data. However, please inform the Company about your concern in order that the Company may resolve such concern before you contact the relevant agency.

If you wish to exercise your rights as described above, please contact the Company according to details shown in the topic "Company's contact information" set out below, and/or fill out the request form to exercise the rights of the data subject on the Company's website.

In addition, your exercise of rights as set out above may be limited by the applicable laws and relevant exceptions, and in certain circumstances the Company may lawfully deny your request, for example, in the case that the Company has duties set out by the law or a court order. However, if your request is rejected, the Company shall inform you of the reason for such rejection.



## **8. Changes to this Privacy Notice**

The Company may revise or update this Privacy Notice from time to time. Please check this Privacy Notice periodically for any amendments or updates to this Privacy Notice, whereby the company shall notify you if such changes materially affect you and will ask for your consent again (if necessary and as required by the law).

## **9. The Company's contact information**

If you have any doubts, comments and/or questions about the collection, use, disclosure and/or transfer of your personal data, or you wish to exercise your rights in accordance with this Privacy Notice, you can contact the company via:

### **EGCO Engineering & Service Company Limited**

- Head Office: 222, EGCO Building, 14<sup>th</sup>, 15<sup>th</sup> Floor, Vibhavadi Rangsit Road, Thungsonghong Sub-district, Laksi, Bangkok 10210. Tel: 02-998-5000
- Branch Office: 35 Rayong Highway No.3191 Road, Tambol Huaypong, Amphur Muang, Rayong 21150. Tel: 02-998-5999
- E-mail: [pdpaccommittee@egco.com](mailto:pdpaccommittee@egco.com)