



Policy: Employee Data Protection Policy	Policy Number: GDPR-2.0-001-B
Policy Author: Office of General Counsel	
Policy Functional Owner: Human Resources Department	
Applicability: VSP Global Employees employed in the EEA	
Products/LOB: Internal Vision Care, Reflex and Marchon	
Approved By: Jurgan Otten (Data Protection Officer), Kristi Cappelletti-Matthews (Chief Human Resources Officer)	

Policy description

Objective

This Policy outlines the standards by which VSP will collect and process Personal Data relating its employees and contractors.

Contents

1.	Definitions	1
2.	Introduction	1
3.	Purpose of processing Personal Data	2
4.	Principles for processing Personal Data	3
5.	Types of data collected.....	4
6.	Sharing and disclosure of data	4
7.	Security and integrity of data	5
8.	Data transfers	5
9.	Data privacy rights and complaints.....	5
10.	Policy review and revision	6
11.	Document control.....	6

1. DEFINITIONS

For the purpose of this Policy, the following terms are defined as follows:

“Controller” means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of Personal Data.

“Data Subject” means an identified or identifiable natural person.

“DPO” means data protection officer.

“EEA” means European Economic Area.

“Employees” all employees, temporary workers, interns and contractors of the Controller employed and or otherwise engaged at any of Controller’s companies within the EEA.

“GDPR” means General Data Protection Regulation.

“HR” means Human Resources.

“Marchon” means Marchon UK Ltd., which for the purpose of this Policy shall be the Controller together with VSP. Each of the aforementioned organizations is the Controller for the processing of Personal Data of their own Employees.

“Personal Data” means any information relating to a Data Subject.

“Policy” refers to this Employee data privacy policy.

“Special category of Personal Data” special category of Personal Data means Personal Data revealing a person's race or ethnic origin, religious or philosophical beliefs, political opinions, trade union membership or data concerning health or a natural person's sex life or sexual orientation.

“VSP” means Vision Service Plan (or VSP Global), which reference for the purpose of this Policy shall include a reference to the respective Marchon entity defined herein.

2. INTRODUCTION

2.1 Introduction

VSP collects and processes Personal Data in accordance with applicable data protection laws, including but not limited to the GDPR.

This Policy outlines the standards by which VSP will collect and use Personal Data in connection with its obligations as an employer.

2.2 Who must follow this Policy?

This Policy is applicable to all Employees.

2.3 Non-compliance

Anyone who violates this Policy may cause liability and/or serious reputational harm to VSP and will be subject to disciplinary measures, up to and including termination where applicable.

2.4 **Monitoring and review**

HR is responsible for oversight of compliance with this Policy.

3. **PURPOSE OF PROCESSING PERSONAL DATA**

3.1 VSP collects Personal Data in order to perform its contractual role as employer, including administrative and managerial tasks in connection with employment, to pursue a legitimate interest and to comply with applicable laws. Prior to the processing of Personal Data, VSP will define the purpose of the processing. VSP will not process Personal Data in a manner which is not compatible with those purposes.

3.2 Please find below an overview of processing purposes, including applicable legal grounds and retention periods.

(a) For the performance of a contract VSP processes Personal Data for the following purposes:

- (i) recruitment and hiring activities, management of employment records, appraisals, performance management (e.g. discipline, grievances and termination of employment (or engagement)), promotions, pay and remuneration including incentive compensation, pension and insurance and other benefits, tax, and other deductions from pay, benefit plan management, relocation and secondments, visa and work permit applications, health and safety related issues, and effecting Employee intercompany transfers.

For these purposes, VSP retains the Personal Data for a period no longer than is necessary for the purpose for which the Personal Data are processed, unless statutory or legal obligations require Controller to retain the Personal Data for a longer period. Click [here](#) for more detailed information.

(b) For the compliance with a legal obligation, VSP processes Personal Data for the following purposes:

- (i) compliance with statutory legal, regulatory, contractual and fiscal requirements, including mandatory filings, uses, and disclosures of information that are required by law (including U.S.-based reporting obligations and requirements imposed in connection with U.S.-based litigation);

For these purposes, VSP retains the Personal Data for a period no longer than is necessary for the purpose for which the Personal Data are processed, unless statutory or legal obligations require Controller to retain the Personal Data for a longer period. Click [here](#) for more detailed information.

(c) For the purposes of legitimate interest, VSP processes Personal Data for the following purposes:

- (i) management reporting and analysis, organizing events for Employees, calculating prospective headcount changes (fluctuation, termination or headcount addition numbers), resource planning, succession and personnel planning; scheduling and making arrangements for business trips, travel visa applications, talent management and career development;
- (ii) management, financial reporting, accounting and audit functions, including (consolidated) reporting and implementation of corporate programs and to support

corporate and administrative activities (including corporate publications and communications, internal audits, risk management and data analytics);

- (iii) monitoring and other controls needed to safeguard the security and integrity of transactions (e.g. financial transactions and money movement activities) including for due diligence;
- (iv) ensuring legal and regulatory compliance, including for the purposes of ensuring compliance with the Code of Conduct and operating the company's compliance and ethics Guideline, operating the ethical hotline, investigating incidents reported to the ethical hotline;
- (v) obtaining legal advice and/or the defense of or otherwise engaging in litigation and protecting VSP or its subsidiary companies and their respective directors and officers, employees, clients, customers, agents, business partners or the public against injury, theft, legal liability, fraud, abuse and other misconduct;
- (vi) facilitate communication between employees from different workplace locations;
- (vii) operating and defending its IT systems, including monitoring and recording the use of computer systems, telephone systems and all other electronic communication devices; carrying out internal and external investigations into security or compliance concerns, or in cases of suspected employee misconduct data backup, data archive and document retention; operation, development and maintenance of IT systems; and/or
- (viii) corporate governance, including mergers, acquisitions, divestitures, and joint ventures.

For these purposes, VSP retains the Personal Data for a period no longer than is necessary for the purpose for which the Personal Data are processed, unless statutory or legal obligations require Controller to retain the Personal Data for a longer period. Click [here](#) for more detailed information.

4. PRINCIPLES FOR PROCESSING PERSONAL DATA

4.1 Lawfulness, fairness and transparency

VSP shall process Personal Data fairly, in a transparent manner and in accordance with this Policy and applicable laws. Applicable laws prevail where they exceed the standards of this Policy.

4.2 Data accuracy

VSP will take all reasonable steps to ensure that Personal Data are accurate and complete and will rectify or erase any incorrect Personal Data without delay. We all have a responsibility to assist VSP in this effort.

4.3 Purpose limitation

VSP will ensure that Personal Data collected are for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.

4.4 Data Retention

VSP will only keep Personal Data for as long is necessary to fulfil the purpose(s) for which it was collected or to comply with applicable legal and regulatory requirements.

4.5 Data Security

All Personal Data collected will be processed in a manner that ensures appropriate security of the Personal Data.

4.6 Data Minimisation

VSP will only process Personal Data which are adequate, relevant and limited to what is necessary.

4.7 Special Category of Personal Data

Processing a Special Category of Personal Data is prohibited, unless processing a Special Category of Personal Data is necessary for VSP to comply with a legal obligation.

5. TYPES OF DATA COLLECTED

5.1 The types of Personal Data VSP collects and processes include:

- (a) identification data, such as: first and last name, photograph, date, nationality, place of birth and social security number
- (b) contact details, such as: address, telephone number and email address;
- (c) employment details, such as: job title, grade and office location;
- (d) academic and professional qualifications, such as: degrees, diplomas, employment history;
- (e) financial data, such as: bank account details and salary; and
- (f) family & social details: family composition (including family history, marital status, names of spouse and/or dependants and/or next of kin and relationship) and beneficiaries.

6. SHARING AND DISCLOSURE OF DATA

6.1 VSP only allows access to Personal Data by those who require access to perform their job duties and to third parties who have a legitimate purpose for access to the Personal Data.

6.2 Personal Data may be shared with VSP's group entities, in compliance with applicable law, for purposes consistent with this Policy.

6.3 VSP may share or disclose Personal Data to third parties who perform specific activities on behalf of VSP or public and government authorities where required by applicable law. Examples of such third parties are: payroll providers, health, insurance & benefits providers, car lease or corporate card companies, travel agents, hotels and other travel related service providers add others where applicable. VSP has chosen not to include the names of the third parties for reasons of keeping the Policy as generic as possible without the need for continuous updates in case of changes to these third parties. Upon request, additional information about the exact third parties will be made available to Employees.

7. SECURITY AND INTEGRITY OF DATA

VSP will put in place appropriate technical and organizational safeguards designed to help maintain the security, confidentiality and integrity of Personal Data and to protect it against accidental or unlawful destruction, accidental loss, unauthorised alteration, disclosure or access, misuse, and any other unlawful form of processing of the Personal Information in its possession.

8. DATA TRANSFERS

VSP may transfer your Personal Data to countries outside the EEA and, when it does, it will ensure that either the European Commission has issued a decision recognising the adequate level of protection of Personal Data in the country receiving the data, or in the absence of such decision, VSP will implement appropriate safeguards to protect the Personal Data that are being transferred.

9. DATA PRIVACY RIGHTS AND COMPLAINTS

9.1 Should you have any questions or remarks with regard to the processing of your Personal Data, please contact your local Finance Manager at: mvestboersting@marchon.com or the DPO or its designated representative via: dpo@vsp.com.

9.2 Furthermore, by sending a notice to the e-mail address mentioned above, you may exercise the rights mentioned below:

- (a) right of access to your Personal Data processed by VSP;
- (b) right of having your Personal Data amended, for example when these data are no longer accurate;
- (c) right to have your Personal Data deleted, for example after the applicable retention period expired;
- (d) right of limiting the processing of your Personal Data;
- (e) right to object against processing of your Personal Data, for example if you believe your individual fundamental rights and freedoms are overridden by VSP's legitimate interest;
- (f) right of data portability; and
- (g) right to object against profiling and automated decision-making.

9.3 The rights listed in paragraph 9.2 are not to be interpreted as absolute rights that apply without limitation in all circumstances. Although VSP respects its Employees' rights under GDPR, the exercise of the rights will be subject to limitations or exclusions. For example, where there is an ongoing employment relationship between VSP and the Employee, the right to erasure or right of data portability may be limited or rejected. In each case, however, VSP will provide the reasons for its decision to grant or reject a request.

9.4 We will respond to your request within a month, unless this is not possible due to the complexity of your request or the number of requests you submitted. In such an exceptional case we will inform you at the latest within a month and we will extend our reaction period with two months.

9.5 In addition to the rights mentioned above you can submit a complaint with the Information Commissioner's Office if you believe that VSP processes or processed your Personal Data contrary to the relevant legislation.

The contact details are:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113 (local rate) or 01625 545 745
<https://ico.org.uk/global/contact-us/>

10. POLICY REVIEW AND REVISION

This Policy shall be reviewed on a regular basis, as needed, and shall be revised, as appropriate, to ensure continued relevance and conformity with applicable VSP corporate policies, industry standards, and government legislation.

11. DOCUMENT CONTROL

Version	Author	Date	Comments
1.0	Ernst and Young	12/20/2018	English template
2.0	Jurgen Otten	02/05/2019	Amend English template
3.0	Jurgen Otten	05/28/2019	Adding missing information