**SXSW, LLC**

**CALIFORNIA JOB APPLICANT AND WORKER PRIVACY NOTICE**

Effective Date: October 11, 2024

SXSW, LLC, and its agents, subsidiaries and affiliates, (the “Company,” “us” or “we”) is committed to protecting the privacy and security of the personal information of provided by individuals applying for a job or other role at the Company (“Job Applicants”), as well as the personal information of our current and former employees (“Employees”) and contractors (together with Employees, “Worker”) and their emergency contacts and beneficiaries. Please read this Job Applicant and Worker Privacy Notice (the “Privacy Notice”) to learn how we treat your personal information when you are one of our Job Applicants or Workers. If you are located in California, you have certain rights under the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act of 2020 (“CCPA”), with respect to your personal information, as outlined below. This Privacy Notice only applies to Job Applicants and Workers who are residents of the State of California.

In this Privacy Notice, we use the term “personal information” as it is defined in the CCPA, which is information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular Job Applicant or Worker. Personal Information does not include information that is publicly available, de-identified, or aggregated.

As we continually work to improve our operations and business, we may need to change this Privacy Notice from time to time. Upon material changes, we will alert you to any such changes by placing a notice on the Company’s intranet, by sending you an email and/or by some other means.

**What Categories of Personal Information Do We Collect?**

This chart details the categories of personal information we may collect and may have collected over the past twelve (12) months. Note that the collection, use, and disclosure of your personal information may vary depending on the nature of your relationship with us, including whether you’re a Job Applicant, an Employee, a contractor, or a Worker’s emergency contacts and beneficiaries.

**FOR JOB APPLICANTS:**

Depending on where you are in the application stage (e.g., screening, assessment tests, interviews, background and reference checks, or decision stage), the collection, use, and disclosure of your personal information may vary.

| Category of Personal Information | Business Purposes for Collection, Use, and Disclosure of Personal Information | Categories of Third Parties With Whom We Disclose This Personal Information |
| --- | --- | --- |
| **Identifiers** such as contact details (e.g., name, alias, mailing address, email address, phone number), driver’s license number, passport number, social security number, and other similar identifiers.  | * Recruiting, employing and/or engaging Job Applicants.
* Engaging and managing Workers.
* Hosting and facilitating our operations and business.
 | * Service Providers
 |
| **Personal Information Described in California Customer Records Act (Cal. Civ. Code § 1798.80(e))** such as name, signature, physical characteristics or description, educational information, or employment history. | * Recruiting, employing and/or engaging Job Applicants.
* Engaging and managing Workers.
* Hosting and facilitating our operations and business.
 | * Service Providers
* Affiliates
 |
| **Characteristics of Protected Classifications under California or Federal Law** such as race, national origin or ancestry, physical or mental disability, medical condition, marital status, sex, gender, gender identity/expression, age, or military/veteran status.  | * Recruiting, employing and/or engaging Job Applicants.
* Engaging and managing Workers.
* Hosting and facilitating our operations and business.
 | * Service Providers
* Affiliates
 |
| **Internet or Other Electronic Network Activity Information** such as information regarding your interaction with our career website, application, or advertisement (including chats and instant messaging).  | * Recruiting, employing and/or engaging Job Applicants.
* Engaging and managing Workers.
* Hosting and facilitating our operations and business.
 | * Service Providers
* Advertising Cookie Providers
 |
| **Professional or Employment-Related Data** such as resume, job title, job history, performance evaluations, membership in professional organizations and unions, and job interview notes, responses to screening questions and assessment results.  | * Recruiting, employing and/or engaging Job Applicants.
* Engaging and managing Workers.
 | * Service Providers
 |
| **Education Information** such as grades or transcripts, student financial information, and student disciplinary records.  | * Recruiting, employing and/or engaging Job Applicants.
* Engaging and managing Workers.
 | * Service Providers
 |
| **Sensitive Personal Information** such as social security number, racial or ethnic origin, or health information.  | * Recruiting, employing and/or engaging Job Applicants.
* Engaging and managing Workers.
 | * Service Providers
 |

**FOR WORKERS:**

Similar categories of data we collect in your role as a Job Applicant as described above may be collected and retained if you become an Employee of the Company. For additional categories of personal information that may be collected solely from Workers, please see below.

| Category of Personal Information | Business Purposes for Collection, Use, and Disclosure | Categories of Third Parties With Whom We Disclose This Personal Information |
| --- | --- | --- |
| **Professional or Employment-Related Data** such as performance management information (e.g., employment status, work schedule, job assignments, hours worked, accomplishments, awards), training and development information, discipline and counseling information, and employment termination information.  | * Engaging and managing Workers.
* Hosting and facilitating our operations and business.
 | * Service Providers
* Affiliates
 |
| **Sensory Data** such as photos, videos, and recordings of you and your environment. | * Engaging and managing Workers.
* Hosting and facilitating our operations and business.
 | * Service Providers
 |
| **Other Personal Information Not Directly Within Categories Listed in the CCPA** such as dependent information, emergency contact information, and beneficiary information.  | * Engaging and managing Workers.
 | * Service Providers
 |
| **Sensitive Personal Information** such as passport number, state issued id, account login information or financial information for payment processing.  | * Engaging and managing Workers.
 | * Service Providers
 |

**Categories of Sources of Personal Information**

Unless specifically noted, we collect personal information from the following categories of sources:

* You
	+ When you provide such information directly to us.
* Public Records
	+ From the government or other sources.
* Third Parties. For example, we may collect information from:
	+ Vendors
		- Recruiters.
		- Pre-employment screening services.
		- Credentialing and licensing organizations.
		- Consumer reporting agencies.
	+ Prior employers (e.g., for references)
	+ Professional references
	+ Educational institutions
	+ Publicly Available Sources
		- Social networks, including your social media profile (e.g., LinkedIn, Twitter and Facebook).
		- Other sources you identify or refer us to.

**Our Commercial or Business Purposes for Collecting, Using, or Disclosing Personal Information**

Unless otherwise specified, we collect or disclose personal information for the following purposes:

* Recruiting, Employing and/or Engaging Job Applicants
	+ Processing and managing your applications.
	+ Conducting background and reference checks.
	+ Providing immigration support.
	+ Entering into contracts.
	+ Implementing, managing and improving the Company’s recruitment process, and diversity and inclusion programs
	+ Meeting or fulfilling the reason you provided the information to us.
	+ Managing the Company’s relationship with you.
* Engaging and Managing Workers
	+ Providing immigration support.
	+ Entering into contracts.
	+ Managing the Company’s relationship with you.
	+ Onboarding Workers.
	+ Enrolling and administering employment benefits.
	+ Paying Workers.
	+ Implementing, managing and improving the Company’s Worker wellness programs.
	+ Assessing Workers’ working capacity and administering health and Workers’ Compensation insurance programs.
	+ Ensuring that Workers properly login to Company equipment and ensuring that authorized Workers have access to secured locations in the Company.
	+ Managing workflow and performing services for the Company’s customers.
	+ Carrying out job promotion processes, including to evaluate Employees for promotions.
	+ Featuring Employees in marketing materials and on the Company’s website.
* Hosting and Facilitating Our Operations and Business
	+ Maintaining the security of our systems and property, and doing fraud protection, security and debugging.
	+ Engaging in website-related analytics and advertising activities.
	+ Carrying out other business or employment-related purposes stated when collecting your personal information or as otherwise set forth in applicable data privacy laws, such as the CCPA.

**Other Permitted Purposes for Collecting, Using, and Disclosing Personal Information**

In addition to the commercial or business purposes described above, we may collect, use, or disclose your personal information in fulfilling our legal obligations under applicable law, regulation, court order or other legal process, such as preventing, detecting and investigating security incidents and potentially illegal or prohibited activities, or responding to lawful requests by public authorities, including to meet national security or law enforcement requirements; protecting the rights, property or safety of you, the Company or another party; enforcing any agreements with you; responding to claims; and resolving disputes. Additionally, we may transfer your personal information to a third party if we undergo a merger, acquisition, bankruptcy or other transaction in which that third party assumes control of our business (in whole or in part).

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated or incompatible purposes without providing you notice.

**How We Disclose Personal Information**

Unless specifically noted, we disclose personal information to the categories of service providers and other parties listed in this section.

* Affiliates. Our affiliates help us to perform business functions on our behalf.
* Service Providers. These parties help us to perform business functions on our behalf. They include:
	+ Hosting, technology and communication providers.
	+ Security and fraud prevention consultants.
	+ Background and reference check screening services.
	+ Hiring process and benefits management and administration tools.
	+ Health and safety technology providers.
	+ Analytics providers unrelated to our advertising efforts.
* Advertising Cookie Providers. These parties may place cookies, pixel, or similar technology (“Cookies”) on our website(s) or online platforms. They may include:
	+ Ad networks.
	+ Marketing providers.
	+ Analytics providers that assist with advertising efforts.

**Data Security**

We seek to protect your personal information from unauthorized access, use and disclosure using appropriate physical, technical, organizational and administrative security measures based on the type of personal information and how we are processing that information. You should also help protect your data by appropriately selecting and protecting your password and/or other sign-on mechanism, limiting access to your computer or device and browser, and signing off after you have finished accessing your account. Although we work to protect the security of your account and other data that we hold in our records, please be aware that no method of transmitting data over the internet or storing data is completely secure.

**Data Retention**

We retain personal information about you for as long as necessary to perform our business or commercial purposes, including employment-related purposes, for collecting your personal information. When establishing a retention period for specific categories of personal information, we consider who we collected the personal information from, our need for the personal information, why we collected the personal information, and the sensitivity of the personal information. In some cases we retain personal information for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. We may further retain information in an anonymous or aggregated form where that information would not identify you personally.

Note that if you are a Job Applicant that applied through a third-party such as a recruiting company or submitted your application through a recruiting software (e.g., Greenhouse, Jobvite, Linkedin, etc.), you may be subject to their separate terms of service and privacy policy.

**Your Rights under the CCPA**

If you are a resident in California, you have the rights set forth in this section. Please see the “Exercising Your Rights Under the CCPA” section below for instructions regarding how to exercise these rights. Please note that these rights are subject to certain conditions and exceptions under applicable law, which may permit or require us to deny your request.

**Access**

You have the right to request certain information about our collection and use of your personal information over the past twelve (12) months. In response, we will provide you with the following information:

* The categories of personal information that we have collected about you.
* The categories of sources from which that personal information was collected.
* The business or commercial purpose for collecting or selling your personal information.
* The categories of third parties with whom we have disclosed your personal information.
* The specific pieces of personal information that we have collected about you.

If we have sold your Personal Data over the past 12 months, we will identify the categories of Personal Data sold to each category of third party recipient. You may request the above information beyond the 12-month period, but no earlier than January 1, 2022. If you do make such a request, we are required to provide that information unless doing so proves impossible or would involve disproportionate effort.

**Deletion**

You have the right to request that we delete the personal information that we have collected about you. Under the CCPA, this right is subject to certain exceptions: for example, we may need to retain your personal information if deletion of your personal information involves disproportionate effort. If your deletion request is subject to one of these exceptions, we may deny your deletion request.

**Correction**

You have the right to request that we correct any inaccurate personal information we have collected about you. Under the CCPA, this right is subject to certain exceptions: for example, if we decide, based on the totality of circumstances related to your personal information, that such data is correct. If your correction request is subject to one of these exceptions, we may deny your request.

**Limit Processing of Sensitive Personal Information**

We may collect personal information that is considered “sensitive personal information” under the CCPA. Please note that we only use or disclose your sensitive personal information for the purposes set forth in section 7027(m) of the CCPA regulations and we do not collect or process sensitive personal information with the purpose of inferring any characteristics about California residents.

**Personal Information Sales and Share Opt-Out**

In this section, we use the term ‘sell’ and ‘share’ as these terms are defined under the CCPA. If you engage with us on our website (for example, via our [Careers page](https://www.sxsw.com/careers/)), we may apply certain cookies, pixel, or similar technology (“Cookies”) that may constitute a sale or share. These Cookies allow those third parties to receive information about your activity on our website that is associated with your browser or device. Those third parties may use that data to serve you relevant ads on other websites you visit. The use of some of these Cookies (including for the purpose of online advertising) may be considered “selling” or “sharing” of information. You can opt out by following the instructions in the “Exercising Your Rights Under the CCPA” section below.

In connection with the above, we may “sell” or “share” your Internet or Other Electronic Network Activity Information with our Advertising Cookie Providers for the purposes of showing you advertisements, including interest-based or online behavioral advertising.

You have the right to opt-out of the sale or share of your Personal Data by following the instructions in the “Exercising Your Rights under the CCPA” section. Once you have submitted an opt-out request, we will not ask you to reauthorize the sale of your Personal Data for at least 12 months.

To our knowledge, we do not sell or share the Personal Data of minors under 16 years of age.

**We Will Not Discriminate Against You for Exercising Your Rights Under the CCPA**

We will not discriminate against you for exercising your rights under the CCPA. You will not be subject to any retaliation or disciplinary action for exercising their rights under the CCPA.

**Exercising Your Rights Under the CCPA**

To exercise the rights described in this Privacy Notice, you or your Authorized Agent (defined below) must send us a request that (1) provides sufficient information to allow us to verify that you are the person about whom we have collected personal information, and (2) describes your request in sufficient detail to allow us to understand, evaluate and respond to it. Each request that meets both of these criteria will be considered a “Valid Request.” We may not respond to requests that do not meet these criteria. We will only use personal information provided in a Valid Request to verify your identity and complete your request. You do not need an account to submit a Valid Request.

We will work to respond to your Valid Request within the time period required by applicable law. We will not charge you a fee for making a Valid Request unless your Valid Request(s) is excessive, repetitive or manifestly unfounded. If we determine that your Valid Request warrants a fee, we will notify you of the fee and explain that decision before completing your request.

You can exercise your right to opt out from a “sale” or “share” by the following methods:

* By accessing your cookie settings by clicking the cookie icon at the bottom right of our website.
* By implementing the Global Privacy Control or similar universal privacy control that is legally recognized by a government agency or industry standard and that complies with applicable State Privacy Laws. The signal issued by the control must be initiated by your browser and applies to the specific device and browser you use at the time you cast the signal. Please note this does not include Do Not Track signals.

You may submit all other Valid Request using the following methods:

* Email us at: datarequest@sxsw.com
* Visiting sxsw.com/datarequestform to login and fill out the webform to submit your data request.

You may also authorize an agent (an “Authorized Agent”) to exercise your rights on your behalf. To do this, you must provide your Authorized Agent with written permission to exercise your rights on your behalf, and we may request a copy of this written permission from your Authorized Agent when they make a request on your behalf.

**Contact for Questions**

If you have any questions or comments regarding this Privacy Notice, the ways in which we collect and use your personal information or your choices and rights regarding such collection and use, please contact:

* Email: info@sxsw.com for general inquiries and datarequest@sxsw.com for Personal Data inquiries.
* Address: SXSW, LLC, ATTN: Privacy Officer, P.O. Box 685289, Austin, TX, 78768, USA.

Individuals with disabilities may access this Privacy Notice in an alternative format by contacting info@sxsw.com.