



## Privacy Notification

As part of its recruiting and hiring process, TopBuild Support Services, Inc. (“TopBuild”) and its affiliates, parents, successors, predecessors, and subsidiaries (the “affiliates”) collect personal data regarding job applicants. We may collect and process personal data electronically. If you choose to create a job profile or apply for a specific position in TopBuild via our job application website(s), your personal data will be registered in our recruitment systems and TopBuild (as the data controller) will receive, process, use and disclose personal data about you as described in more details in this Privacy Notification.

This Privacy Notification also applies to the disclosure to and processing of personal data by other TopBuild affiliate companies in situations where you are interested in or applying for specific jobs in TopBuild’s affiliates. TopBuild and each of its local affiliated companies are referred to as “TopBuild”.

TopBuild will process your personal data according to applicable law.

Please note that this policy is limited to personal data collected for recruiting and hiring. Any other personal data that TopBuild collects may be subject to other policies.

### What categories of personal data are we processing and for what purposes?

We collect and process the personal data you voluntarily provide us with, which may include:

- Name
- Address
- E-mail address
- Phone number
- Educational background
- Prior employment history
- Details regarding your qualifications, skills, and experience
- Details regarding your legal authorization to work in a particular jurisdiction
- Information provided in your cover letter
- Other information you choose to include in your application, resumé, CV or other documents.

In some jurisdictions, you may also be asked to voluntarily provide demographic data, such as your race, ethnicity, gender, veteran status, or disability. You are not required to provide this data. If you choose to provide this data, it will be maintained separately from your other personal data described above.

Please refrain from providing us with information that is not relevant to the job that you are interested in or for which you are applying. For example, unless required by local legislation, please do not provide us with sensitive information or national identification numbers in your application documents.

We may also collect, process, and maintain personal information about you from the following sources:

- References from others, e.g. your previous employers
- Test results collected via relevant tests (e.g. personality tests)
- Background check results, including criminal background check, provided that you have authorized the background check

We process your personal data for the following purpose:

- For the purpose of recruiting and hiring new employees in TopBuild and/or entering into contracts.

Data will be stored in systems that are compliant with the GDPR registry and any other applicable laws. While most of the applicant data we collect is electronic, there may be instances in which we collect paper data.

**Who at TopBuild may have access to your personal data?**

Your personal data will be maintained primarily by personnel in TopBuild's Human Resources Department. Other personnel, however, may access to your personal data for the purpose of accomplishing recruiting and hiring, such as Operations, Information Technology, Marketing, and Legal.

**What is the legal basis for our processing of your personal data?**

TopBuild has a legitimate business interest in collecting and processing personal data in the recruitment and hiring process and needs to keep records regarding this process. The legal basis for our collection and processing of your personal data is as follows:

- It is TopBuild's assessment that the processing of your personal data is necessary for the determination of whether we will offer you as the applicant the position at TopBuild.
- Processing is necessary for the performance of a contract or in order to take steps to enter into a contract with the applicant.
- Consent (may be relevant for example in relation to references and criminal records, but will depend on the circumstances and local law).

**Will we share your personal data with data processors?**

TopBuild uses IT systems providers and other service providers who may have access to your personal data. Your personal data will also be disclosed and shared with our providers, for instance in relation to personality tests background checks, HR Information Systems providers, and the like. These data processors will process your personal data on our behalf pursuant to our instructions.

**Will we share your personal data with third parties?**

For applications for positions in our affiliates, we will share your personal data with the given affiliate.

If you are hired, we may share your data with other third parties as needed, such as for drug testing and payroll processing.

TopBuild may be required to disclose personal data in response to lawful requests for information by public authorities to comply with national security or law enforcement requirements. In addition, TopBuild may be required to disclose your personal data as necessary and appropriate, especially when we have a legal obligation or legitimate interest to do so, such as in the following instances:

- To respond to a lawfully issued subpoena.
- To comply with applicable law and regulations including laws outside your country of residence.
- To cooperate with public and government authorities, including authorities outside your country of residence.
- To cooperate with law enforcement.
- For other legal reason such as to enforce our terms and conditions and to protect our rights, privacy, safety or property, and/or that of our affiliates, you, or others.
- In connection with a sale, merger, or business transaction.

**If you are a resident of the EU/EEA, will we transfer your personal data to recipients in countries outside the EU/EEA?**

TopBuild does not currently have any affiliates or employees based in any EU countries, nor does it anticipate recruiting in the EU. If we receive an application from an EU country resident, we will comply with the requirements of the GDPR.

If required, the transfer of personal data to countries outside the EU/EEA may take place if the recipient adheres to the [EU-US Privacy Shield](#) (if the transfer is to the United States of America) or when ensuring that the recipient has entered into the [EU Standard Contractual Clauses](#).

**How does TopBuild protect data?**

We have internal data security policies and procedures in place designed to protect your data from unlawful access and disclosure.

**How long will we store your personal data?**

TopBuild does not currently purge application data. If your application is successful, your personal data obtained in the recruitment process will be retained during your employment and will be subject to a separate document retention policy, which may be changed from time-to-time.

**Will TopBuild use my automated decision-making/profiling in connection with my personal data?**

TopBuild may use automated decision-making/profiling to review and cull applicants in the recruiting process. For instance, we may use automated decision-making in determining whether an applicant meets the minimum qualifications for a job opening.

**Voluntary/mandatory provision of personal data**

We collect your personal data from you because this is a required step in the recruitment process. The consequences of not providing the personal data are that TopBuild will be unable to consider your candidacy for the applied position.

**Your rights**

TopBuild has taken necessary and adequate steps in order to protect your personal data and ensure your rights as a data subject. Please note that certain limitations may apply to your ability to exercise these rights. Subject to these limitations, you have the following rights:

- Right of access. You have the right to request access to the personal data TopBuild processes about you.
- Right to rectification. You have the right to rectification of inaccurate personal data concerning you, including completion of incomplete personal data.
- Right to erasure (right to be forgotten). You have the right to the erasure of the personal data concerning you.
- Right to restriction. You have the right to restrict TopBuild's processing of personal data concerning you.
- Right to data portability. Where processing is based on a consent or a contract and the processing is carried out by automated means, you have the right to receive the personal data concerning you in a structured, commonly used and machine-readable format. You have the right to transmit this personal data to a third party without hindrance from TopBuild if technically possible.
- Automated individual decision-making, including profiling. As a general rule you have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects or affects you significantly. This does not apply if, among other things, automated decision-making and profiling is necessary for entering into, or performing, a contract between you and TopBuild.

**RIGHT TO OBJECT**

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on legitimate interests as legal basis for the processing, including profiling based on this provision.

If your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where you object to processing for direct marketing purposes, TopBuild must no longer process the personal data for such purposes.

If processing of your personal data is based on your consent, you may withdraw your consent at any time. Please note that this does not affect TopBuild's processing of your personal data prior to the withdrawal of your consent.

If you wish to exercise any of your rights as described above or have any questions, please contact the TopBuild Human Resources Department by using the contact information provided below:

TopBuild Human Resources  
[HumanResources@TopBuild.com](mailto:HumanResources@TopBuild.com)  
877-627-0334 (option 2)

38228680.1- Last Modified May 17, 2019