

WHA Corporation Public Company Limited Privacy Notice For Employees

Privacy Notice owner: Chief Legal Officer	Valid from 15 May 2020
Approver: Chairman and Group Chief Executive Officer	Revision: 0

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1. Introduction

This Privacy Notice is issued by WHA Corporation Public Company Limited. It shall be applicable to all employees of WHA Corporation Public Company Limited and all employees in its group (collectively called "Company"). It addresses the Processing by the Company of "**Personal Data**" of employees during and after their working relationship with the Company as well as the employees' rights in accordance with the Personal Data Protection Act B.E. 2562 (the "PDPA"). The Company encourages all employees to read this notice carefully, together with policies relating to privacy.

2. Terms and definitions

All terms used in this Policy has the same meanings as prescribed by the Internal Privacy Policy.

3. Personal Data that the Company Processes

We may process the following Personal Data about you for the purposes described in this notice:

1. Personal details such as your title, name, gender, nationality, marital status, date of birth, age, personal contact details, national ID number, passport, driving licence.
2. Recruitment and selection data such as skills and experience, qualifications, references, CV and application, interview and assessment data.
3. Data related to your engagement such as contract of employment, employee number, photograph, your assigned business unit, your reporting line, your termination/ contract end date, the reason for termination, your last day of work and exit interviews.
4. Remuneration and benefits data such as your remuneration data, allowances, overtime, bonus, bank account details, tax data, details of any benefits you receive or are eligible for and expense claims.
5. Leave and absence management data such as attendance records and absence records.
6. Performance management data such as your appraisals and performance review data, outcomes and objectives.
7. Training and development data such as data relating to training and development needs or training received and training certificates.
8. Monitoring data such as closed-circuit television (CCTV) footage, system and building login and access records, photo on access card.
9. Employee claims and complaints such as whistleblowing concerns raised by you.
10. Sensitive Personal Data we may collect about you are such as religion, blood type, health conditions and wellbeing data either declared by you or obtained from health check including any medical condition, occupational health report, sick leave form, biometric data and data about criminal conviction or background.

4. Methods/ sources that the Company use to collect your Personal Data

The Company processes the Personal Data about you through the recruitment process, either directly from you or sometimes from a recruitment agency or social media. Company may sometimes collect additional Personal Data about you from third parties including referee, former employers, other background check agencies.

When you start your employment with us, you will directly provide us with certain Personal Data such as your bank account details and related Persons Data. The Company may collect further Personal Data about you in the course of your employment.

The Company does not need your specific consent if the Company uses your Personal Data to: (1) prevent or suppress a danger to life, body or health; (2) perform a contract to which you entered into or to proceed in accordance with your request prior to contracting; (3) to carry out activities for legitimate interest of the Company or other persons which are not overridden by your fundamental rights; (4) comply with the law and other public interest as permitted by law.

When it is necessary to process a Sensitive Personal Data about you, we will do so on for the following purposes by relying on the following legal bases:

- (a) We may process a Sensitive Personal Data where the Processing is necessary for the establishment of our legal rights (e.g. litigation), compliance with the law or defending our rights (e.g. to prepare our defence in court proceedings or any process of public authorities);
- (b) We may process a Sensitive Personal Data about you to prevent or suppress a danger to you or other persons' lives, body or health when the you or such person are incapable of giving consent;
- (c) We may process Personal Data for other purposes only if you give us your specific and explicit consent for such Processing or when the Sensitive Personal Data about you is publicly available (e.g. in social medias); and
- (d) We may have to process Sensitive Personal Data when it is required or permitted by law.

If the Company seeks additional, specific and explicit consent from you, the Company will provide you with full details of the data that the Company would like and the reason the Company needs it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

5. Purposes of Processing of Personal Data

The Company processes your Personal Data for many purposes, including the following purposes:

- 1. Recruitment and selection
 - 1.1 To evaluate applications for employment and make decisions in relation to selection of employees
 - 1.2 Pre-employment screening including, where relevant and appropriate, right to work verification, reference check, criminal record checks
 - 1.3 To make job offers, providing contracts of employment and preparing to commence your employment where you accept an offer from us

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- 1.4 To contact you should another potentially suitable vacancy arise
- 1.5 To deal with any query, challenge or request for feedback received in relation to our recruitment decisions
2. Ongoing management of all aspects of employees' relationships with the Company
 - 2.1 To manage and maintain HR hard copy records, files and systems, including technical support and maintenance of HR systems.
 - 2.2 Providing and administering remuneration and benefits
 - 2.3 To make appropriate tax and deductions and contributions
 - 2.4 To set and change building and system access permissions
 - 2.5 Identifying and communicating effectively with employees
 - 2.6 Where appropriate, publishing appropriate internal or external communications or publicity material, including via social media
 - 2.7 Managing and operating performance reviews
 - 2.8 Managing complaints, investigations and disciplinary processes, and making related management decisions
 - 2.9 Training, development, promotion, career and succession planning and business contingency planning
 - 2.10 Processing data about absence
3. Compliance monitoring, security and systems use
 - 3.1 Auditing, monitoring, investigation and compliance monitoring activities in relation to the Company policies, Code of Conduct, applicable law.
 - 3.2 Monitoring your use of our data and communication systems to ensure compliance with our IT policies and data security, preventing unauthorised access to our systems.
4. Responding to legal and regulatory requests
 - 4.1 Comply with lawful requests by public authorities, disclosure requests, or where otherwise required or authorised by applicable laws, court orders, government regulations, or regulatory authorities.
5. Termination of employment and managing post-employment relationships
 - 5.1 Administering termination and post-termination matters, e.g. liaison with employee legal representatives, expense reimbursements, employee benefits, conduct termination and post-termination litigation

If you decide not to provide us with certain Personal Data that the Company have requested, the Company may not be able to perform contracts between the Company (such as paying you or providing a benefit), or the Company may be able to provide you with full benefits you are otherwise entitled to.

The Company may from time to time use your Personal Data without your acknowledgement or consent where this is required or permitted by law.

6. Transfer of Personal Data within the country

The Company may, in the ordinary course of its business, disclose or share the Personal Data or the Sensitive Data we collect about you with the following persons for the following purposes:

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- 6.1 Companies in our group. You may visit our website, <https://www.wha-group.com/index.html>, to see our companies in the group. We share such data for the purpose of recruitment and selection; employee relationship management; compliance monitoring; security and systems use; responding to legal and regulatory requests; and Termination of employment and managing post-employment relationships
- 6.2 Professional service providers, such as lawyers, accountants or auditors who are subject to binding contractual obligation of confidentiality toward the Company;
- 6.3 Third party processors, such as providing of clouds, data hosting services and IT system services;
- 6.4 Any relevant party, courts, public authorities, state enterprises (e.g. electricity/waterworks authorities) and law enforcement agencies;
- 6.5 any relevant third-party acquirers, partners in the event that we sell or transfer all or any portion of our business or assets (including in the event of a reorganization, dissolution or liquidation);
- 6.6 any relevant third party who are products/service providers, where our websites or applications use third party advertising plugins or content. Please note although we will ensure that the third party has sufficient privacy protection standard, if you choose to interact with any such advertising, plugins or content, your Personal Data would be processed by the third party. Hence, we recommend you review the third party's Privacy Notice thoroughly before interacting or proceeding with such third parties;
- 6.7 Third party, such as banks, provident fund, insurance companies and other persons for the purpose of employment or ensure your entitlement to the company's benefit.

7. International Transfer Of Personal Data

The Company may share or transfer your Personal Data to a country outside of Thailand Personal Data when:

- 1.1 Such sharing or transfer has one or more legal bases in item 4 of this Policy; and
- 1.2 the foreign country in which the recipient of the Personal Data is located has sufficient Personal Data safeguards as prescribed or decided by the Commission. This requirement does not apply in the cases where:
 - you give an explicit and clear consent to the transfer/sharing by being fully informed of the details of such inadequacy of safeguard of that other country;
 - The transfer or sharing is necessary to comply with a legal obligation;
 - It is necessary for the performance of a contract to which you are a party or for proceeding in accordance with your request prior to contracting
 - It is necessary for the performance of a contract between the Company and another individual or juristic person for your own benefit;
 - It is necessary for preventing or suppressing a danger to a person's life, body or health and you are incapable of giving consent at such time; and/or
 - It is necessary for carrying out activities relating to one or more significant public interest as permitted by law;
 - When the transfer or sharing is required or permitted by the law.

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8. Retention Period

The Company will collect the Personal Data for as long as necessary to fulfil the purposes the Company collected it for, including for the purposes of satisfying any legal or reporting requirements. To determine the appropriate retention period for Personal Data, the Company consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the purposes for which Company process your Personal Data, whether the Company can achieve those purposes through other means, and the applicable legal requirements and the duration of any period necessary to establish, exercise or defend any legal rights.

In some circumstances, the Company will anonymise your Personal Data so that it can no longer be associated with you, in which case the Company will use such data without further notice to you. Once you are no longer an employee, worker or contractor of us, we will retain and securely destroy your Personal Data as the Company deems appropriate.

9. Your rights

You are entitled to the following rights under the PDPA:

	Data Subject's Rights	Description
1	Right of access	You have a right to get access and obtain a copy of your Personal Data that we hold about you, or you may ask us to disclose the sources of where we obtained your data that you haven't given consent.
2	Right to data portability	You have a right to request us to transfer your Personal Data to other persons/organisations, or request to obtain the Personal Data that we have transferred to other persons/organisations, unless it is impossible due to technical circumstances.
3	Right to object the Processing of your data	You have a right to object to the Processing of your Personal Data. The Company respects your right and we will assess the request on a case-by-case basis in accordance with the legal requirements.
4	Right to erasure	You have a right to request us to delete, destroy or anonymise your Personal Data in the following circumstances where: 1) The Personal Data is no longer necessary for the purpose of which it was collected, used or disclosed; 2) You have withdrawn your consent to which the collection, used or disclosure is based on; 3) You have objected to the collection, use or disclosure of the Personal Data and the Company has no ground to reject such request; and/or 4) When the Personal Data has been unlawfully

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	Data Subject's Rights	Description
		collected, used or disclosed under the law. The Company respect your right and we will delete your Personal Data unless the Company consider necessary to maintain such Personal Data.
5	Right to restrict the Processing of your data	You have a right to request us to restrict the Processing of your Personal Data in the following circumstances when: 1) It is under the pending examination process of checking whether the Personal Data is accurate, up-to-date and complete or not; 2) It is the Personal Data that should be deleted or destroyed as it does not comply with the law and you request to restrict it instead; 3) The Personal Data is no longer necessary to retain for the purpose of which it was collected, used or disclosed, but you still have the necessity to request the retention for the purposes of the establishment, compliance, exercise of legal claims or the defense of legal claims; 4) The Company is considering your request which objects the Processing of Personal Data.
6	Right to withdraw consent	You may withdraw your consent at any time, unless it is against the Company's notice.
7	Right to rectification	You have a right to rectify inaccurate Personal Data in order to make it accurate, up-to-date, complete and not misleading. If the Company rejects your request, the Company will record such rejection with reasons.
8	Right to lodge a complaint	You will have the right to make a complaint in the case that the Company does not comply with the law or other announcements of the law.

To exercise any of your Data Subject rights, please contact the Data Protection Officer (DPO) via DPO.office@wha-group.com or fill in the form available at our HR office. In case of a request for copy of your Personal Data, unless the Company has grounds to refuse your request, the Company will send such copy to you within 30 days upon obtaining your request. If you have any questions to your Personal Data, please contact the DPO according to the provided details.

The Company may need to request specific data from you to help us confirm your identity and ensure your right to access the data (or to exercise any of your other rights). This is another appropriate security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it.

For those who provided the Company with Personal Data before the PDPA comes into force, we will continue Processing your Personal Data provided that our data Processing will strictly follow the objectives

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and purposes for which you allowed us to collect your data. You may request us to stop Processing Personal Data about you through DPO.office@wha-group.com. We will review your request on a case-by-case basis. The Company would like to inform you that your consent withdrawal may affect the work and services that will be provided by the Company such as getting you in touch with insurance companies. This is because, for instance, the data, if remaining after consent withdrawal, may be insufficient for us to render complete services that you need or we may need time to request additional data from you.

10. Updating your Personal Data

In the event that the Personal Data you have provided has changed, you must notify the Company of such update or edit the provided Personal Data so that your Personal Data is accurate and up-to-date during your working relationship with us.

If your Personal Data is incorrect, the Company will not be responsible for any loss or damage that may arise as a result of your failure to correct or update your Personal Data to be accurate in any way.

To update your Personal Data, please contact the Data Protection Officer (DPO) via DPO.office@wha-group.com or fill in the form available at our HR office.

11. Company's Record of Request/ Refusal

When there is a request to exercise the rights, we will acknowledge the receipt of the request and confirm that we're looking into the request and will respond within the statutory timeframe. We will assess the legal requirements, legal basis of Processing, consequence that the request may result on you and we will respond to you in due course. Each request should be considered in relation to the facts and circumstances at the time. We will keep track and record the request for accountability purposes.

12. Right to File a Complaint with the Office of Personal Data Protection

You have the right to make a complaint in the case of where the Company, the Data Processor does not comply with the PDPA or other announcements of the PDPA.

If you consider that we have processed your Personal Data in violation of applicable law and failed to remedy such violation to your reasonable satisfaction, please contact the DPO of the Company via DPO.office@wha-group.com at WHA Corporation Public Company Limited.

In addition, you can contact the Company via whistle blowing channel through DPO.office@wha-group.com.

You also have the right to lodge a complaint with the Personal Data Protection Commission or any Expert Committee appointed by it in accordance with the law.

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13. Security of your Personal Data

The company certifies that all the Personal Data collected will be stored safely and strictly with adequate security standards. If you have a reason to believe that your Personal Data has been breached or if you have any questions regarding this Privacy Notice, please contact the DPO of the Company.

The company will take reasonable efforts to ensure that all Personal Data collected and processed is kept secure and protected against unauthorized or unlawful Processing, use, modification or disclosure, accidental loss or destruction of, or damage by establishing the policies and procedures, and implementing the technologies and software such as user authentication control, external and internal network perimeter controls and malicious program/ software control.

14. Changes to the Privacy Notice

The Company reserves the right to change, amend or update the Privacy Notice at any time as it deems appropriate by notifying you of the said change. The Company will notify the changes on the intranet, website in which you can check at any time.

15. Contact us

If you have any comments, suggestions, questions or want to make a complaint regarding your Personal Data, please contact the DPO of the Company via WHA Corporation Public Company Limited at DPO.office@wha-group.com.

This Privacy Notice for Employees is;
considered and consented by the Risk Management Meeting No.1/2020 on 12 May 2020, and
considered and consented by the Board of Directors Meeting No.5/2020 on 15 May 2020, and
considered and approved by Chairman and Group Chief Executive Officer on 15 May 2020.

(Miss Jareeporn Jarukornsakul)
Chairman and Group Chief Executive Officer