

Service Provider Company Personnel Privacy Notice Relating to

- **Collection of Personal Data**
- **Collection of Video Event Data Recorder (VEDR), GPS, and Driver Certification Compliance Data**

FedEx Ground Package System, Inc. is committed to protecting your privacy and the security of your personal data. We have created this Privacy Notice to explain how FedEx collects and uses Personal Data, Video Event Data Recorder (VEDR), GPS and Driver Certification Compliance Data relating to individuals who are employed by or are seeking employment with one or more companies contracted to provide package transportation, pickup and delivery services to FedEx Ground Package System, Inc. (referred to in this Privacy Notice as a “Service Provider business”).

This Privacy Notice is not a contract and does not create any legal rights or obligations.

Please read this Notice carefully. It explains:

1. What does the term “Personal Data” refer to?
2. What do the terms “GPS” and “VEDR” refer to?
3. What are the VEDR Key Indicators?
4. What Personal Data of Service Provider company personnel does FedEx collect?
5. What types of data are collected by GPS and VEDR devices?
6. Why does FedEx process Personal Data of Service Provider company personnel?
7. How does FedEx use GPS Data and VEDR Data?
8. Who can see the GPS Data and VEDR Data? Can FedEx see the data about an individual?
9. When are GPS and VEDR devices turned on and when are they turned off?
10. Who has access to your Personal Data?
11. What Driver Certification Compliance Data does FedEx collect and how is it used?
12. How does FedEx protect your Personal Data, GPS Data, VEDR Data and Driver Certification Compliance Data and how long is it kept?
13. Where does FedEx store or transfer your Personal Data, GPS Data, VEDR Data and Driver Certification Compliance Data?
14. How do Service Provider companies use and protect Personal Data, GPS Data, VEDR Data, and driver certification compliance Data?
15. How can Service Provider business personnel request access to their Personal Data, VEDR Data, GPS Data, or driver certification compliance Data?
16. Will there be updates to this Privacy Notice?
17. What if I am a California “Consumer”?

1. **What does the term “Personal Data” refer to?**

Personal Data, also referred to as personal information refers to any information that can directly or indirectly be used to identify you, including

- Name
- FedEx ID and log-in information
- Government-issued identification numbers (social security and driver’s license numbers, certifications, etc.)
- Addresses
- Phone numbers
- Email addresses

- Photos

2. What do the terms “GPS” and “VEDR” refer to?

GPS refers to a Global Positioning System that uses satellite technology to track location.

GPS Equipment may include but is not limited to package scanners and related software, VEDR devices and other electronic devices mounted on vehicles, tractors and trailers, and other mobile computing devices equipped with GPS technology that can identify, record, and transmit the exact geolocation of the device using a combination of GPS, mobile phone, and Internet technology. **GPS Data** refers to the geolocation and timestamp data collected by GPS Equipment.

Key Indicators are metrics used by VEDR Providers to compile reports for FedEx and Service Provider companies (**Key Indicator Reports**) to assess whether Service Provider companies are complying with contractual safe driving standards. See Question 3 (What are the VEDR Key Indicators?).

Triggering Event refers to an event that activates the capture and storage of VEDR Data, such as a collision, hard acceleration, hard braking, or hard lateral motion.

VEDR refers to **Video Event Data Recorder**. The VEDR systems on service provider vehicles leased to FedEx include internal and external facing cameras that may record video, sound and motion sensor data (**VEDR Data**). The VEDR system uses computer hardware and software to record VEDR Data, store it when Triggering Events occur, and transmit the VEDR Data over an internet connection to a VEDR Provider. The VEDR system also collects GPS Data, as described in Question 5 (What types of data are collected by GPS and VEDR devices?). The GPS Data from VEDR systems is transmitted every 10 seconds.

VEDR Provider refers to one or more third-party vendors that contract with Service Provider companies to license, lease, sell, or host the computer hardware, software, cameras, sensors, and storage used to operate the VEDR systems. The VEDR Provider receives the VEDR Data and GPS Data transmitted by these devices in real-time. If a Triggering Event occurs, the VEDR Data is stored and used by the VEDR Provider in preparing Key Indicator Reports. The GPS Data from by VEDR systems is transmitted every 10 seconds.

3. What are the VEDR Key Indicators?

The VEDR Provider reports to FedEx and Service Provider companies on a monthly basis about whether a Service Provider company has met a minimum percentage threshold for certain Key Indicators agreed upon in that Service provider company’s contract with FedEx. These indicators measure a business’ safe driving standards and practices.

Note: As discussed in Question 7 (How does FedEx use GPS Data and VEDR Data?), specific driver information, including driver identity, is not provided to FedEx as part of the Key Indicator Reports. The Service Provider company and FedEx may agree to modify the Key Indicators from time to time to reflect changes in performance experience, regulatory obligations and/or compliance, and safety results.

4. What Personal Data of Service Provider company personnel does FedEx collect?

As explained more fully in Question 6 (Why does FedEx process Personal Data of Service Provider company personnel?), FedEx will need to collect and process your Personal Data in the course of its business activities and provision of services, as well as for security purposes

and to comply with applicable laws in the fields of federal motor carrier safety, health and safety, wage and hour and tax compliance, and as otherwise required by applicable law. FedEx collects the following Personal Data:

- **Pre-employment screening information**

We collect your Personal Data when we conduct pre-employment verification of your identity, address, and or references and, where permitted by local law, background checks. These background checks may also be conducted on an ongoing basis (including criminal or judicial data) about you as well as drug screens all in accordance with applicable law. We may use third-party providers for verification and background check services that provide criminal and judicial information and screening;

- **Contact information**

This may include your FedEx identification number, name and former names, address and former addresses, telephone numbers (home, mobile/cell, work), photo, date of birth, and email address;

- **Employment information**

This may include the Service Provider company's business name, supervisor's name, address, phone number, as well as unemployment information;

- **Driver's license and driving history information**

We collect information relating to your driving license, including number, state, type, and history.

- **Government identifiers**

We collect your government issued identifiers as required and subject to applicable law. These may include your ID details, tax identification number, social security number, visa, passport number, and your driver's license number;

- **Compensation, hours worked and financial information**

In the case of a compliance assessment to ensure that Service Provider company is complying with applicable wage and hour and tax withholding obligations, FedEx may collect financial information including your hours worked, compensation and bonuses, as well as financial information including your bank account number, bank name and details;

- **Biometric data** if needed for biometric-based identification and security procedures;

- **GPS Data and VEDR Data** as explained in Question 7 (How does FedEx use GPS Data and VEDR Data?).

- **Information relating to incidents, investigations, claims and litigation**

This may include information relating to incidents and investigations you may be involved in during your time working for the Service Provider company and providing service to FedEx Ground. It may also include any claims or litigation you are involved in during that time.

- **Sensitive information**

Some of the Personal Data we collect is considered to be sensitive information under the privacy laws of some states. We will only use your sensitive information for the purposes specifically identified in this Privacy Notice or at the time we asked you to provide the

information. We will not use or disclose your sensitive information for any other purpose without first requesting and obtaining your consent.

5. What types of data are collected by GPS and VEDR devices?

GPS Data. GPS Equipment records geolocation data at a specific point in time (time stamp). FedEx uses the GPS Data to track customer packages; promote safety, security, and contract and legal compliance; and enhance network analyses, mapping, and route optimization applications.

VEDR Data. When turned on, a VEDR system continuously records data in connection with the operation of the vehicle. In addition to timestamped GPS Data, the VEDR Data collected may include:

- Video of the driver and/or passenger(s); interior and exterior of the vehicle; outside environment showing road conditions, obstacles, and weather conditions;
- Detailed vehicle operational metrics such as speed, mileage, distance traveled, and engine running time, harsh braking, sudden acceleration, cornering; near collisions and actual impact due to accidents or crashes;
- Audio may be recorded at the discretion of the Service Provider company, but not for purposes of Key Indicator Reports.

When a Triggering Event occurs, the system stores the VEDR Data recorded during, shortly before, and shortly after the event. The VEDR Provider then reviews the stored data to assess various factors that may have contributed to the Triggering Event, such as driver distractions and unsafe driving, unsafe lane changes, failure to stop at lights or stop signs, unsafe turning, following, and speeding. Information about this assessment is transmitted to the Service Provider company and used by the Service Provider company to implement coaching and training, including that specified in VEDR Key Indicator contract terms.

6. Why does FedEx process Personal Data of Service Provider company personnel?

Personal Data will be collected, used, stored, or otherwise processed, if necessary, within the framework of responsible, efficient, and effective business management by FedEx. The types of Personal Data that FedEx may collect about you and the circumstances in which we may collect your Personal Data are controlled by the contractual arrangements between FedEx and the Service Provider company.

Business Purposes

FedEx will only collect, use, or otherwise process Personal Data if the processing falls within the scope of one (or more) of the following legitimate purposes:

- A. Business process execution and management, including:**
 - a. To provide service to FedEx customers, including ensuring timely delivery and providing package, trailer, or shipment information to customers;
 - b. Ensuring quality, including reviewing historical data to investigate accuracy and integrity of package tracking, scanning, coding, and signature compliance;
 - c. Analyzing service provider contractual performance and business results;
 - d. Verifying services provided to FedEx Corporation to determine or validate applicable charges;
 - e. Performing market analysis (including relating to pipeline, turnover, tenure, etc.);

- f. Responding to accusations of service provider personnel misconduct or damage claims;
- g. Conducting other legitimate business activities;

B. Health, safety, and security, including:

- a. Those activities involving health, safety, and security, including the protection of vital interests of individuals (e.g., for urgent medical reasons) and promoting physical safety in crisis situations;
- b. Assessing service provider compliance with contractual agreements relating to safety
- c. To conduct verification of your identity, address, and where permitted by local law, background checks. Background checks may also be conducted on an ongoing basis (including criminal or judicial data) as well as drug screens in accordance with applicable law.
- d. Locating lost or stolen physical assets or gathering information about the same;
- e. Locating missing or misdelivered packages or gathering information about the same;
- f. Conducting other legitimate activities relating to health, safety, and security;

C. Compliance with legal, contractual, or ethical obligations, including:

- a. As necessary for compliance with, and investigating compliance with, laws, regulations and sector specific guidelines to which FedEx Corporation is subject;
- b. As necessary for compliance with, and investigating compliance with, any agreements entered into between the Service Provider company and FedEx Corporation;
- c. As necessary for compliance with, and investigating compliance with, internal FedEx Corporation policies and procedures;
- d. Demonstrating FedEx Corporation's legal compliance and aiding in legal proceeding;
- e. Responding to subpoenas issued by law enforcement;
- f. Supporting insurance claims or disputes;
- g. Processing that is necessary as part of whistle-blowing obligations, the pre-employment screening, and the matching of names on so-called designated party lists;
- h. To administer or defend the legal interests of FedEx Corporation;
- i. Conducting other legitimate activities relating to legal, contractual, or ethical obligations

7. How does FedEx use VEDR Data and GPS Data?

VEDR Data and Key Indicator Reports. The VEDR Provider uses the VEDR Data to compile Key Indicator Reports that are transmitted to FedEx. Key Indicator Reports show if the Service Provider company is meeting its VEDR obligation based on the contractual Key Indicators listed in Question 3 (What are the VEDR Key Indicators?).

FedEx does not have direct access to any VEDR Data. FedEx and the Service Provider company agree that the Service Provider company will provide VEDR Data to FedEx upon request for the purpose of investigating safety or security incidents, customer complaints, or for other legitimate business activities. VEDR videos provided to FedEx in response to a request for VEDR Data may include footage of service provider personnel, either while inside or outside of the vehicle.

GPS Data. FedEx uses GPS Data to track customer packages; promote safety, security, and contract and legal compliance; and enhance network analyses, mapping, and route optimization applications. FedEx receives direct transmission of GPS Data from VEDR systems, hand-held package scanners, and other GPS Equipment installed on FedEx trailers.

FedEx will only collect, use, or otherwise process GPS Data, VEDR Data, and/or Key Indicator Reports if the processing falls within the scope of one (or more) of the following legitimate purposes:

A. Business process execution and management, including:

- a. To provide service to FedEx customers, including ensuring timely delivery to the correct location and providing package, trailer, or shipment information to customers;
- b. Ensuring quality, including reviewing historical data to investigate accuracy and integrity of package tracking, scanning, coding, and signature compliance;
- c. Analyzing service provider contractual performance and business results;
- d. Verifying services provided to FedEx Corporation to determine or validate applicable charges;
- e. Enhancing route planning technology, routing, and navigation applications, address geo-coding and mapping information
- f. Responding to accusations of service provider personnel misconduct or damage claims;
- g. Conducting other legitimate business activities;

B. Health, safety, and security, including:

- a. Those activities involving health, safety, and security, including the protection of vital interests of individuals (e.g., for urgent medical reasons) and promoting physical safety in crisis situations;
- b. Investigating Triggering Events;
- c. Locating lost or stolen physical assets or gathering information about the same;
- d. Locating missing or misdelivered packages or gathering information about the same;
- e. Assessing service provider compliance with contractual agreements relating to safety
- f. Conducting other legitimate activities relating to health, safety, and security;

C. Compliance with legal, contractual, or ethical obligations, including:

- a. As necessary for compliance with, and investigating compliance with, laws, regulations and sector specific guidelines to which FedEx Corporation is subject;
- b. As necessary for compliance with, and investigating compliance with, any agreements entered into between the Service Provider company and FedEx Corporation;
- c. As necessary for compliance with, and investigating compliance with, internal FedEx Corporation policies and procedures;
- d. Demonstrating FedEx Corporation's legal compliance and aiding in legal proceeding;
- e. Responding to subpoenas issued by law enforcement;
- f. Supporting insurance claims or disputes;
- g. To administer or defend the legal interests of FedEx Corporation;
- h. Conducting other legitimate activities relating to legal, contractual, or ethical obligations;

The Service Provider company has complete discretion and control with respect to operational and personnel matters including schedule, wages, and payment. FedEx will not use GPS Data or VEDR Data in an attempt to control such matters.

8. Who can see the GPS Data and VEDR Data? Can FedEx see the data about an individual?

GPS Data. The GPS Data transmitted from VEDR systems, package scanners, devices installed on FedEx trailers, and other GPS Equipment is available only to FedEx (and the third parties that process GPS data on its behalf of FedEx for purposes relating to business processes, health, safety and security, or compliance with legal, contractual, or ethical obligations), the VEDR Provider and the Service Provider company.

VEDR Data. The VEDR Data is stored in a system hosted and secured by the applicable VEDR Provider. FedEx does not have direct access to any VEDR Provider's system. The VEDR Data as directly transmitted from VEDR systems is available only to the VEDR Provider and the Service Provider company.

FedEx does not automatically receive any VEDR Data that is linked to an individual by name or other identifying information. However, FedEx regularly requests video and other VEDR Data after an accident or incident. The Key Indicator Reports and metrics compiled by VEDR Providers do not identify specific drivers, and FedEx is not told which drivers have accidents or safety issues or are assigned to receive coaching. In an emergency, in the event of legal proceedings, an insurance or customer complaint, or other limited circumstances, FedEx may receive access to the VEDR Data and a particular driver's identity may become known to FedEx and other parties for the purpose of addressing that specific matter.

The Service Provider company is responsible for any GPS and VEDR Data it chooses to access and store in its own system.

9. When are GPS and VEDR devices turned on and when are they turned off?

The GPS package scanners operate continuously during the performance of pick-up and delivery services for FedEx packages. The Service Provider company is responsible for ensuring that GPS package scanner use and operation is consistent with its agreement with FedEx.

To comply with the VEDR Key Indicators obligation, the Service Provider company is responsible to arrange for data collection by the VEDR Provider so that data relating to any Triggering Events occurring during the performance of services for FedEx are captured and stored. FedEx does not have any interests or obligations related to the use of the VEDR Data by the Service Provider company at other times or in other ways.

10. Who has access to your Personal Data?

FedEx does not sell your Personal Data for monetary or other valuable consideration. We also do not share your Personal Data for the purposes of advertising to you based on your interactions across multiple businesses.

FedEx may share your Personal Data identified in Question 4 (What Personal Data of Service Provider company personnel does FedEx collect?) with third parties in the following circumstances:

- With its affiliates, operating companies, operating groups, subsidiaries, and divisions as necessary or appropriate for the purposes listed in Question 6 (Why does FedEx process Personal Data of Service Provider company personnel?).

- With third party administrators and professionals such as background and identification verification services, consumer reporting agencies, drug screening services, insurers, insurance brokers, benefits providers, claims administrators, retirement plan administrators, testing companies, lawyers, and accountants who provide services necessary for the purposes listed in Question 6 (Why does FedEx process Personal Data of Service Provider company personnel?). As appropriate, FedEx will require third parties to conduct activities in a manner consistent with FedEx policies and guidelines in relation to data protection.
- With data processors and service providers, i.e., parties processing Personal Data on our behalf such as technology database management, workplace security, system management and security, application hosting, and travel administration. In such cases, these third parties are only allowed to use your Personal Data for the purposes described in Question 6 (Why does FedEx process Personal Data of Service Provider company personnel?) and only in accordance with our instructions. FedEx will only use processors which provide sufficient guarantees to implement appropriate technical and organizational measures and ensure the protection of the rights of data subjects.
- With its employees if and to the extent necessary for the performance of their tasks. In such a case, access will be granted only if and to the extent necessary for the purposes described in Question 6 (Why does FedEx process Personal Data of Service Provider company personnel?) and only if the employee is bound by confidentiality.
- If and when required to do so by law, court order, or other legal process, for example, with law enforcement agencies or other governmental agencies, to establish or exercise our legal rights.
- We may also provide Personal Data to third parties as necessary to investigate safety and security incidents including shipper and recipient complaints, defend the company's legal interests, ensure the safety and security of personnel and property, and where otherwise required by law (e.g., to comply with an agency investigation or respond to a subpoena).
- With other third parties subject to your prior authorization.

11. What Driver Certification Compliance Data does FedEx collect and how is it used?

In connection with safety and regulatory compliance, the Service Provider company agrees that all personnel assigned to operate a vehicle under the FedEx motor carrier authority meet training and experience standards. This includes maintaining a valid Qualification Certification. FedEx receives confirmation from a qualified provider that the Service Provider company's drivers have a Qualification Certification for a specific size/type of vehicle to be operated.

12. How does FedEx protect your Personal Data, GPS Data, VEDR Data and Driver Certification Compliance Data and how long is it kept?

FedEx has implemented reasonable security measures to protect the data stored in its systems and to meet legal requirements that apply to specific types of Personal Data that can be identified with a specific person.

FedEx will keep any GPS Data or VEDR Data it receives in connection with stated purposes (See Question 7, How does FedEx use VEDR Data and GPS Data?) and Driver Certification Compliance Data (See Question 11, What Driver Certification Compliance Data does FedEx collect and how is it used?) only as long as reasonably needed for that purpose.

FedEx is not responsible for the data protection and privacy practices of the Service Provider company or the VEDR Provider.

13. Where does FedEx store or transfer your Personal Data, GPS Data, VEDR Data and Driver Certification Compliance Data?

Due to the fact that we operate in many countries around the world and have international systems in place, FedEx may need to transfer your Personal Data to locations outside the country where you reside. In any case where we transfer Personal Data, FedEx shall ensure that such a transfer is subject to appropriate safeguards. For Personal Data originating in the European Economic Area, internal FedEx transfers are governed by the FedEx Binding Corporate Rules. Transfers to third parties (outside the European Economic Area) will be governed by a contract based on the model contractual clauses for data transfers approved by the European Commission or other appropriate safeguards. For more detailed information about these safeguards, please contact us as described in Question 17 (What if I am a California "Consumer"?).

14. How do Service Provider companies use and protect Personal Data, GPS Data, VEDR Data, and Driver Certification Compliance Data?

Please direct any questions you have about the Service Provider company's data protection and retention practices and access procedures to the Service Provider company.

The Service Provider company has agreed to use the Key Indicator Reports and VEDR Data to implement the coaching obligations specified by the Key Indicators. The Service Provider company is solely responsible for how it uses, stores, shares, and how long it retains Personal Data, VEDR Data, GPS Data and Driver Certification Compliance Data for any other purposes. Unlike FedEx, the Service Provider company will have regular access to detailed information and may use that information for its own business purposes, including to make decisions about performance and compensation.

15. How can Service Provider business personnel request access to their Personal Data, VEDR Data, GPS Data and Driver Certification Compliance Data?

The Service Provider company is responsible for giving you access to VEDR Data, GPS Data, and any applicable Driver Certification Compliance Data in accordance with local employment and privacy laws and the Service Provider company's business practices. Please direct any questions about how to request access to your data to the Service Provider company. FedEx will provide reasonable assistance to the Service Provider company in responding to a data access request when necessary or appropriate.

16. Will there be updates to this Privacy Notice?

FedEx may update this Privacy Notice from time to time. If an amendment will have a serious privacy impact, FedEx will endeavor to actively inform you about such amendments.

17. What if I am a California "Consumer"?

If you reside in California, we are required to provide additional information to you about how we use and disclose your information, and you may have additional rights with regard to how we use your information. This section only applies if and to the extent that you are a Consumer as defined under the California Consumer Privacy Act, as amended.

Consistent with Question 4 (What Personal Data of Service Provider company personnel does FedEx collect?), we collect certain categories and specific pieces of information about individuals that are considered "Personal Data" in California. We may collect this Personal Data

from you, third parties you authorize to provide Personal Data to FedEx Corporation, and to other sources we engage in during the applicable period of your employment with a business which provides service to FedEx, as well as the period thereafter required to comply with legal or regulatory obligations.

We may disclose your Personal Data to the categories of third parties and for the reasons described in Question 10 (Who has access to your Personal Data?) We collect your Personal Data for the business and purposes described in Question 6 (Why does FedEx process Personal Data of Service Provider company personnel?).

Consistent with Question 10 (Who has access to your Personal Data?) we do not “Sell” or “Share” your Personal Data. Consistent with Question 6 (Why does FedEx process Personal Data of Service Provider company personnel?) FedEx only uses and discloses your Sensitive Personal Data for purposes that are authorized by subsection (a) of Section 1798.121 of the California Consumer Privacy Act. We do not respond to opt-out preference signals at this time.

Subject to certain exceptions, if you are a California consumer, you have the following rights with respect to your Personal Data:

- Right of access
 - Subject to applicable law, you are entitled to inspect or receive information relating to the Personal Data FedEx has collected about you.
- Right to correction
 - We take reasonable steps to ensure that the Personal Data we hold about you is accurate and complete. However, if you believe the Personal Data we maintain about you is inaccurate, you may request that any inaccurate Personal Data that we process about you is corrected, considering the nature and purposes of the processing of the Personal Data. We reserve the right to conduct an analysis of whether the information we hold concerning you is accurate considering the totality of the circumstances.
- Right to request deletion
 - You have the right to ask us to delete your Personal Data, subject to certain exceptions. For example, we may not be able comply with your request due to legal or regulatory reasons or where your Personal Data is necessary in order for us to fulfill the purposes for which it was collected as described in this Privacy Notice. If we are unable to fulfill your request to delete Personal Data, we will provide an explanation as to why we need to retain that information.

Should you wish to request the exercise of your other rights with regard to your Personal Data, we will not discriminate or retaliate against you, based solely upon this request. To exercise these rights, you can

- 1) Complete [the OneTrust webform](https://privacyportal.onetrust.com/webform/8a471a7b-6a52-49d0-bcb0-fa8bdb61598f/c121cce6-6cfb-4c3d-9b61-334f56a01b5f) (found at <https://privacyportal.onetrust.com/webform/8a471a7b-6a52-49d0-bcb0-fa8bdb61598f/c121cce6-6cfb-4c3d-9b61-334f56a01b5f>) and we will remove Personal Data if required.
- 2) Email FXGSPDSARS@fedex.com.

If you are a California consumer and you wish to exercise your rights as outlined in this section, you may need to provide additional information to verify your identity (such as name and e-mail)

so that we can verify your identity. We will use the information you provide when exercising your rights for no other purpose other than to verify your identity.

You also have the option of designating an authorized agent to exercise your rights on your behalf. For authorized agents submitting requests on behalf of California residents, please contact us as described in this section, with any evidence you have that you have been authorized by a California consumer to submit a request on their behalf. Please know we may independently require the consumer to verify their identity in accordance with applicable law.