

Notice at Collection and Privacy Policy for HR Individuals

Last Updated: **January 1, 2023**

Midland Credit Management, Inc. and its parent, Encore Capital Group, Inc., subsidiaries, and affiliated companies (“Company”) takes your privacy seriously. We want you to know how we collect, use, and disclose your personal information.

Assistance For The Disabled

Alternative formats of this Privacy Policy are available to individuals with a disability. Please contact HRSupport@mcmcg.com for assistance.

This Privacy Policy explains:

1. The categories of personal information we collect about you
2. The categories of sources from which we collect your personal information
3. The purposes for which we use your personal information
4. How we may disclose your personal information
5. How long we keep your personal information
6. Privacy rights for HR Individuals who are California residents
7. Changes to this Privacy Policy

Scope:

This Privacy Policy applies to the personal information of individuals who are (a) employees, (b) other individuals who perform work for the Company (collectively “**Non-Employees**”), and (c) employees’ and Non-Employees’ dependents, emergency contacts, and beneficiaries (“**Related Contacts**”), (all collectively, “**HR Individuals**”) in their role as HR Individuals. This Privacy Policy informs HR Individuals about the categories of personal information the Company has collected about them in the preceding twelve months as well as the categories of personal information that the Company will collect about HR individuals in the future.

Except where the Privacy Policy specifically refers only to a specific category of HR Individuals, e.g., employees, this Privacy Policy refers to all categories of HR Individuals collectively.

“**Personal information**” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular HR Individual or household.

1) THE CATEGORIES OF PERSONAL INFORMATION WE COLLECT

A. Employees

- **Identifiers**, for example: real name, alias, telephone number, postal address, e-mail address, signature, bank account name and number for direct deposits, Social Security number for example for tax purposes, driver’s license number, and photographs.
- **Professional or Employment-Related Information**, for example: educational institutions attended, degrees and certifications, licenses, work experience and previous employers, professional memberships and affiliations, seniority, training, employment start and ending dates, and job title.

- **Compensation and benefits information for employees**, for example: salary, bonus and commission, equity compensation information, hours, and overtime, leave information, bank details (for payroll and reimbursement purposes only), benefits in which you may be enrolled, and identifying information for dependents and beneficiaries.
- **Non-public educational information**, for example: academic transcripts.
- **Commercial Information**, for example: business travel and expense records.
- **Internet Activity Information**, for example: Internet browsing and search history while using the Company's network, log in/out and activity on the Company's electronic resources, interactions with the Company's Internet web site, application, or advertisement, and publicly available social media activity.
- **Sensory or Surveillance Data**, for example: voice-mails recordings of meetings or videoconferences and footage from video surveillance cameras.
- **§ 1798.80**: personal information described under Cal. Civ. Code § 1798.80 to the extent not already included in other categories here, such as health information, for example, information about an on-the-job injury collected for workers' compensation purposes.
- **Preferences**, for example, hobbies and leisure activities, membership in voluntary/charitable/public organizations, and preferences regarding work tools, travel, hours, food for the company's events, etc.
- **Characteristics of Protected Classifications Under California or Federal Law for employees**, for example: race, age, national origin, disability, sex, and veteran status as necessary to comply with legal obligations and to support diversity and inclusion programs; disability, medical condition, and pregnancy, childbirth, breastfeeding, and related medical conditions, as necessary to comply with Federal and California law related to leaves of absence and accommodation; and marital and familial status as necessary to provide benefits to employees and for tax purposes.
- **Geolocation data**, for example: information related to use of company-issued badges at points of entry on physical premises and location information derived from use of company assets such as laptop computers.

B. Non-Employees

The Company collects the categories of personal information listed in Section 1.A, above, *excluding* the following categories: (a) Compensation and benefits information for employees; (b) Characteristics of protected classifications under California or federal law for employees; (c) health information, and (d) sexual orientation.

In addition, the Company collects the following personal information regarding Non-Employees:

- Compensation: Amounts paid to Non-Employees for services rendered.

C. Related Contacts

- The Company only collects contact information about emergency contacts.
- The Company may collect the following categories of personal information about spouses or domestic partners, dependents, and beneficiaries: (a) Identifiers; (b) Commercial Information if, for example, the Company arranges travel for a dependent to attend a Company event; (c) Surveillance Data if the individual enters the Company's facilities; (d) § 1798.80 personal information, such as insurance policy numbers if the individual is covered by the Company's insurance or health information, for example, infectious disease testing when a Related Contact attends a the Company's event; and (f) Protected Categories of Personal Information, for example, childbirth to administer parental leave, marital status to pay taxes, and familial status to administer benefits.

2) THE CATEGORIES OF SOURCES FROM WHICH WE COLLECT YOUR PERSONAL INFORMATION

- **You**, for example, in your application, forms you fill out for us, assessments you complete, surveys you submit, and any information you provide during the course of your relationship with us.
- **Your spouse or dependent** with respect to their own personal information.
- **Vendors and service providers**, for example, law firms.

- **Affiliated companies**, for example, when an employee works on a cross-enterprise team.
- **Third parties**, for example, job references, business partners, professional employer organizations or staffing agencies, insurance companies.
- **Public internet sources**, for example, social media, job boards, public profiles, and other public online sources.
- **Public records**, for example, court records, and credentialing and licensing organizations.
- **Automated technologies** on the Company's electronic resources, for example, to track logins and activity across the Company's network.
- **Surveillance/recording technologies installed by the Company**, for example, video surveillance in common areas of the Company's facilities, voicemail technologies, webcams, audio recording technologies, and blue-tooth technologies, any of these with consent to the extent required by law.
- **Government or administrative agencies**, for example, law enforcement, public health authorities, California Department of Industrial Relations, Employment Development Department.
- **Acquired company**, if the Company's acquired your employer, the Company might collect personal information from that employer.

Note: This Privacy Policy does not cover background screening conducted by third-party background check vendors subject to the federal Fair Credit Reporting Act. The Company provides separate notices for such screening.

3) THE PURPOSES FOR WHICH WE USE YOUR PERSONAL INFORMATION

A. All HR Individuals

Managing Personnel, including:

(Not applicable to Related Contacts)

- **Administration, including:**
 - To manage personnel and workforce matters
 - To communicate with the workforce
 - To plan and arrange work supplies and workspaces
 - To fulfill recordkeeping and reporting responsibilities
 - For recruitment of new HR Individuals
 - To resolve internal grievances and disciplinary issues
 - To make business travel arrangements
 - To manage workforce-related emergencies, including health emergencies
- **Workforce development, including:**
 - To screen workforce for risks to the Company and continued suitability in their positions
 - To conduct surveys
- **Team-building, including:**
 - To maintain an internal workforce directory and for purposes of identification
 - To facilitate communication, interaction, and collaboration among HR Individuals
 - To arrange meetings and manage Company-sponsored events and public service activities
 - To promote the Company as a place to work
 - Workforce reporting and data analytics/trend analysis
 - For workforce satisfaction

Monitoring, Security, and Compliance, including:

- To monitor access to, and use of, the Company's facilities and information systems
- To ensure compliance with applicable laws and the Company's policies
- To conduct internal audits and investigations
- To administer the Company's whistleblower hotline
- To protect the safety and security of the Company's facilities, including preventing illicit activity
- To report suspected criminal conduct to law enforcement and cooperate in investigations

- To exercise the Company's rights under applicable law and to support any claim, defense, or declaration in a case or before a jurisdictional and/or administrative authority, arbitration, or mediation panel

Conducting Our Business, including:

(Not applicable to Related Contacts)

- To engage in marketing, advertising, and promotion
- For communications with prospective, current, and former customers
- To provide a directory and contact information for prospective and current customers and business partners
- For customer service purposes
- To manage business expenses and reimbursements
- To engage in project management
- To conduct product and service training
- To conduct research and development
- To conduct quality assurance and improvement
- For event planning
- To engage in crisis management

Miscellaneous Other Purposes:

- To manage and operate information technology and communications systems, risk management and insurance functions, budgeting, financial management and reporting, and strategic planning;
- To manage litigation involving the Company, and other legal disputes and inquiries and to meet legal and regulatory requirements;
- In connection with a corporate transaction, sale, or assignment of assets, merger, divestiture, or other changes of control or financial status of the Company or any of its subsidiaries or affiliates;
- To manage licenses, permits, and authorizations applicable to Company's business operations; and
- To protect the rights, property, or safety of Company, HR Individuals, customers, or others.

B. Employees

1. Generally Applicable Purposes

Unless stated otherwise in section 3.B.2, below, we may use employees' personal information for the following purposes:

Managing Employees, including:

- **Administration, including:**
 - To set up and manage a personnel file
 - To manage performance
 - To administer compensation, bonuses, equity grants, other forms of compensation, and benefits (as permitted by law)
 - To manage vacation, sick leave, and other leaves of absence
 - To track hours and attendance

- **Employee development, including:**
 - To provide, evaluate, and manage training and career development
 - To evaluate job performance and consider employees for other internal positions or promotions
 - To assist with professional licensing
 - To develop a talent pool and plan for succession
- **Team-building, including:**
 - For diversity and inclusion programs
 - To arrange team-building and other morale-related activities
 - To design employee retention programs

2. Purposes Specific To Certain Categories Of Employees' Personal Information

We may use the categories of employees' personal information listed in this Section 3.B.2 for the purposes stated below:

Purposes For Using Employees' Geolocation Data:

- The Company will issue employees a security badge that tracks employee's attempts to access points of entry on physical premises. The Company may use this information to protect the safety and security of its facilities and the people in its facilities, including the employee.
- The Company has access to geolocation data derived from employee's use of company-issued assets for security purposes.

Purposes For Using Employees' Health Information:

- To the extent necessary to comply with the Company's legal obligations, such as to accommodate disabilities
- To conduct a direct threat analysis in accordance with the Americans with Disabilities Act and state law
- For workers' compensation purposes
- For occupational health surveillance
- For occupational health and safety compliance and record-keeping
- To conduct fitness-for-duty examinations
- To administer leaves of absence and sick time
- To provide a wellness program
- To respond to an employee's medical emergency

Note: This Privacy Policy does not cover health information governed by the Health Insurance Portability and Accountability Act (HIPAA), the Health Information Technology for Economic and Clinical Health Act (HITECH Act), or California's Confidentiality of Medical Information Act (CMIA) because these laws have their own disclosure requirements.

Purposes For Using Employees' Protected Categories Of Information:

The Company collects information about race, age, national origin, disability, sex, and veteran status as necessary to comply with legal obligations, including the reporting requirements of the federal Equal Employment Opportunity Act, the federal Office of Contracting Compliance Programs (applicable to government contractors), and state laws, where applicable, such as the California's Fair Employment and Housing Act. The Company also collects information about disability status to the extent an employee may need special assistance during emergencies from The Company or from first responders.

The Company also collects the following characteristics (in addition to those listed above) for its diversity and inclusion programs (including analytics): (a) sex, (b) race, (c) age and (d) sexual orientation.

The Company also uses this personal information for purposes including:

- with respect to disability, medical condition, familial status, marital status, and pregnancy, childbirth, breastfeeding, and related medical conditions: as necessary to comply with Federal and California law related to leaves of absence and accommodation;
- with respect to military and veteran status: as necessary to comply with leave requirements under applicable law and for tax purposes;
- with respect to age: incidentally to the use of birth date for birthday celebrations and identity verification;
- with respect to religion and pregnancy, childbirth, breastfeeding, and related medical conditions: as necessary for accommodations under applicable law;
- with respect to protected classifications, such as national origin: to the extent this information is contained in documents that you provide in I-9 documentation; and
- with respect to marital status and familial status: for the Company's events and as necessary to provide benefits and for tax purposes.

The Company collects personal information about membership in protected categories on a purely voluntary basis, except where required by law, and uses the information only in compliance with applicable laws and regulations.

C. Contingent Workforce

Managing Contingent Workforce, including:

- To evaluate the individual's qualifications for engagements, including licensure and certifications
- To negotiate and execute the agreement with the individual
- To provide orientation and familiarization with the Company's working environment
- To administer the contractual relationship, including payments
- To manage absences

D. Board Members

Board Members:

- To evaluate qualifications for the role
- To administer the relationship
- To administer compensation, equity grants, other forms of compensation, and benefits (as permitted by law)
- To comply with legal obligations, including the reporting requirements of the U.S. Securities and Exchange Commission
- To monitor compliance with the Company's policies and administer discipline

E. Related Contacts

Spouse and Dependents/Beneficiaries

- To manage and administer benefits
- To communicate with the individual and manage the relationship
- To arrange travel to, and manage participation in, the Company's events

Emergency Contacts

- To communicate in the event of an emergency involving the individual who provided the emergency contact's information

4) HOW WE MAY DISCLOSE YOUR PERSONAL INFORMATION

The Company generally maintains information related to its personnel as confidential. However, from time to time, the Company may have a legitimate business need to disclose personnel information for one of the purposes listed in Section 2, above, to one or more of the categories of recipients listed below. In that event, the Company discloses your personal information only to the minimum extent necessary to achieve the purpose of the disclosure and only if the disclosure is permitted by the California Privacy Rights Act (“CPRA”) and other applicable laws.

- **Service providers and contractors:** The Company discloses your personal information to service providers and contractors to assist us in meeting our business needs and contractual and legal obligations.
 - The Company discloses your personal information to service providers and contractors only subject to written contracts in compliance with the CPRA and any other applicable law.
 - Service providers and contractors include auditors, administrative service providers, law firms, travel agencies, benefits providers, and any other entity providing services to the Company.
- **Affiliated companies:** Other companies within the **Encore Capital Group, Inc.** family of companies.
- **Business partners:** For example, the Company might disclose your business contact information to a co-developer of a new product or service with which you will be working.
- **Government or administrative agencies:** These may include, for example:
 - Internal Revenue Service to pay taxes;
 - Employment Development Department as required for state payroll taxes and to respond to unemployment or state disability insurance claims;
 - OSHA as required to report work-related death or serious injury or illness;
 - Department of Fair Employment and Housing as required to respond to employment charges; and
 - California Department of Industrial Relations as required to resolve workers’ compensation claims.
- **Public:** The Company may disclose your personal information to the public as part of a press release, for example, to announce promotions or awards. If you do not want your personal information in press releases, please contact HRSupport@mcmcg.com. The Company does not disclose sensitive personal information to the public.
- **Required Disclosures:** We may be required to disclose personal information (a) in a court proceeding, (b) in response to a court order, subpoena, civil discovery request, other legal process, or (c) as otherwise required by law.
- **Legal Compliance and Protections:** We may disclose personal information when we believe disclosure is necessary to comply with the law or to protect the rights, property, or safety of the Company, our users, or others.

5) HOW LONG WE KEEP YOUR PERSONAL INFORMATION

The Company keeps your personal information no longer than necessary for the purposes described in Section 2 above and in accordance with our **Record Retention Policy** available on the **Company’s intranet**.

6) PRIVACY RIGHTS FOR HR INDIVIDUALS WHO ARE CALIFORNIA RESIDENTS

This Section 6 applies only to HR Individuals who are residents of the state of California.

a. Your California Privacy Rights

Subject to applicable law, HR Individuals have the following rights:

- **Right to Know:** You have the right to submit a verifiable request for copies of specific pieces of your personal information obtained from you and for information about the Company’s collection, use, and disclosure of your personal information.

Please note that the CPRA's right to obtain copies does not grant a right to the whole of any document that contains personal information, but only to copies of "specific pieces" of personal information. Moreover, HR Individuals have a right to know categories of sources of personal information and categories of third parties to which personal information is disclosed, but not the individual sources or third parties. The Company does not always track individualized sources or recipients.

- **Right to Delete:** You have the right to submit a verifiable request for the deletion of personal information that you have provided to the Company.
- **Right to Correct:** You have the right to submit a verifiable request for the correction of inaccurate personal information maintained by the Company, considering the nature of the personal information and the purposes of processing the personal information.

No sales and no "sharing", i.e., disclosure for cross-context behavioral advertising:

The Company does not sell the personal information of any HR Individuals nor disclose their personal information for cross-context behavioral advertising.

Note on Deidentified Information

At times, The Company converts personal information into deidentified information using reasonable measures to ensure that the deidentified information cannot be associated with the individual ("Deidentified Information"). The Company maintains Deidentified Information in a deidentified form and does not attempt to reidentify it, except that the Company may attempt to reidentify the information solely for the purpose of determining whether its deidentification processes ensure that the information cannot be associated with the individual. The Company prohibits vendors, by contract, from attempting to reidentify the Company's Deidentified Information.

b. How to Exercise Your Rights

The Company will respond to requests to know, delete, and correct in accordance with applicable law if it can verify the identity of the individual submitting the request. You can exercise these rights in the following ways:

- Call (877) 860-9489
- Email HRSupport@mcmcg.com

c. How We Will Verify Your Request:

The processes that we follow to verify your identity when you make a request to know, correct, or delete are described below. The relevant process depends on how and why the request is submitted.

If you submit a request by any means other than through a password-protected account that you created before the date of your request, the verification process that we follow will depend on the nature of your request as described below:

1. **Requests To Know Categories Or Purposes:** We will match at least two data points that you provide with your request, or in response to your verification request, against information about you that we already have in our records and that we have determined to be reliable for purposes of verifying your identity. Examples of relevant data points include your mobile phone number, your zip code, or your employee identification number.
2. **Requests To Know Specific Pieces Of Personal Information:** We will match at least three data points that you provide with your request, or in response to our request for verification information, against information that we already have about you in our records and that we have determined to be reliable for purposes of verifying your identity. In addition, we may require you to sign a declaration under penalty of perjury that you are the individual whose personal information is the subject of the request.

- 3. Requests To Correct or Delete Personal Information:** Our process for verifying your identity will depend on the risk level (as determined by the Company) associated with the personal information that you ask us to correct or delete. For low-risk personal information, we will require a match of two data points as described in Point No. 1, above. For higher risk personal information, we will require a match of three data points and a signed declaration as described in Point No. 2, above.

We have implemented the following additional procedures when verifying the identity of requestors:

1. If we cannot verify your identity based on the processes described above, we may ask you for additional verification information. If we do so, we will not use that information for any purpose other than verification.
2. If we cannot verify your identity to a sufficient level of certainty to respond to your request, we will let you know promptly and explain why we cannot verify your identity.

d. Authorized Agents

If an authorized agent submits on your behalf a request to know, correct or delete, the authorized agent must submit with the request either (a) a power of attorney, signed by you, that is valid under California law; or (b) another document signed by you that authorizes the authorized agent to submit the request on your behalf. In addition, we may ask you or your authorized agent to follow the applicable process described above for verifying your identity. You can obtain “Authorized Agent Designation” form by contacting us at HRSupport@mcmcg.com.

e. Non-Discrimination And Non-Retaliation Policy

The Company will not unlawfully discriminate or retaliate against you for exercising your rights under the California Privacy Rights Act.

7) CHANGES TO THIS PRIVACY POLICY

If we change this Privacy Policy, we will post those changes on this page and update the Privacy Policy modification date above. If we materially change this Privacy Policy in a way that affects how we use or disclose your personal information, we will provide a prominent notice of such changes and the effective date of the changes before making them.

For More Information

For questions or concerns about the Company’s privacy policies and practices, please contact us at HRSupport@mcmcg.com.