

# UBS EXTERNAL STAFF PRIVACY NOTICE - SWITZERLAND

## DATA PROTECTION UNDER THE FEDERAL ACT ON DATA PROTECTION (FADP)

To run our business, UBS processes information about individuals ("**Personal Data**"), including information about the employees and contractors of our suppliers ("**you**" or "**External Staff**").

UBS takes your privacy seriously. This Privacy Notice ("**Notice**") contains information on what Personal Data the UBS entities in Switzerland referred to in Section 10 ("**UBS**", "**we**", "**our**", or "**us**") and other companies of the group to which we belong (the "**UBS Group**") collect(s), what we do with that information, and what rights you have.

As part of our commitment to protect your Personal Data we want to inform you in a transparent manner:

- why and how UBS collects, uses and stores your Personal Data;
- the lawful basis for the use of your Personal Data; and
- what your rights are in relation to such processing and how you can exercise them.

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### 1 What does this Notice cover?

This Notice applies to any and all forms of use of Personal Data ("**processing**") by UBS in relation to our External Staff in Switzerland.

### 2 What type of Personal Data do we collect?

We collect basic identification and professional information, such as your name, title, position, professional history, experience, language skills and contact details. Such information will be collected if provided to us by your employer, for instance on a CV you have prepared, even if you do not ultimately work on an assignment for UBS.

In addition, for External Staff working on UBS premises, we usually collect (to the extent permitted by applicable law):

- Detailed identification information (e.g., address, office location, business telephone number, date and place of birth, picture, emergency contact details, ID card, passport details and other national ID numbers as required);
- Detailed professional information (e.g., academic, professional and industry qualifications and certifications (including dates), directorship information, contact details of references, previous employment dates, rank or seniority, line manager contact information, working arrangements (such as full or part time), assignment allocation and absence information);

- Electronic identification data (e.g., login information, access right, badge number, IP address, online identifiers/cookies, logs and connection time, sound or image recording such as CCTV or voice recordings);
- Personal and physical characteristics (e.g., gender, date of birth and immigration status, and physical characteristics); and
- Information submitted in support of an application to work for UBS on behalf of your employer (e.g., anything you choose to submit in support of your or your employer's application).

Where relevant and to the extent permitted by applicable law, the Personal Data that we collect will also include special categories of data, such as diversity related information (including data about racial and ethnic origin and political opinions), or health data (for instance to allow UBS to make appropriate adjustments to your working environment as a result of a disability) and data about alleged or proven criminal offences in each case where permitted by law.

In some cases, the personal data we collect from you is needed to meet our legal or regulatory obligations, to perform our obligations under UBS's contract with your employer (UBS's supplier), or to enter into that contract. If so, we will indicate to you that the provision of this information is mandatory, and the consequences if we cannot collect this information.

The above-mentioned Personal Data are collected from information that you or your employer directly provide. In some cases, UBS will also collect Personal Data indirectly from background check providers and other administration services providers, or from publicly available sources such as LinkedIn profiles to conduct, for example, vetting checks.

### **3 For which purpose do we process your Personal Data and what legal basis do we rely on?**

#### **3.1 Purposes of processing**

We always process your Personal Data for a specific purpose and only process the Personal Data which is relevant to achieve that purpose. We thereby take into account the role in which you are active with UBS.

In particular, we process Personal Data of our External Staff to:

- a) Selection. For example, to:
  - determine the suitability of External Staff qualifications;
  - prepare for and enter into a contract with our supplier.
- b) Onboarding. For example, to:
  - set up internal profiles, collect information required to complete the onboarding process. For background checks please see section e) below;
  - assist us in managing external providers such as your employer (see section 5 for further information about when we work with service providers).
- c) Staff Administration. For example, to:
  - administer, plan and manage our personnel, suppliers and contractors (including task management and internal workforce analysis and planning);
  - allocate costs, optimize performance and enhance quality;
  - where relevant, manage and make available Personal Data within the UBS Group;
  - carry out supplier performance reviews, satisfaction surveys and other contractor surveys;
  - track staff' interaction with internal email communication (including newsletters, interest groups and messages) to enable delivery of more relevant personalized content for improved readership and engagement.

- d) Training, development and other staff offerings. For example, to:
- train our External Staff;
  - carry out development initiatives and coaching activities;
  - inform you of internal events, leisure activities, and corporate sponsored discounts through approved third-party providers.
- e) Compliance & Risk Management and / or Crime Prevention, Detection & Investigation. For example, to:
- checking for any existing or potential conflicts of interest or any other restrictions which may otherwise restrict or prevent a prospective engagement on a matter with UBS;
  - carry out periodic vetting checks where relevant;
  - receive and handle complaints, requests or reports from employees or third parties made to a compliance function, HR function, or other designated units within UBS or the UBS Group;
  - track relevant incidents related to our External Staff and / or persons they might have a connection with, in order to comply with legal or regulatory obligations, internal policies or for risk management purposes;
  - monitor and investigate electronic communications in order to be able to comply with legal or regulatory obligations, including compliance with banking regulations and internal policies or for risk management purposes;
  - track and record data accesses, to evaluate them and to scan data carriers as well as to evaluate the accessing or storage of data with the objective of ascertaining whether there has been a breach of the obligation to be task-related;
  - conduct internal investigations in line with UBS policies and/or as required by applicable legislation;
  - reply to any actual or potential proceedings, requests or the inquiries of a public or judicial authority.
- f) Supporting, Enhancing and Maintaining UBS's technology. For example:
- to provide for a centralized, global approach to the provision of IT services to our External Staff and enable External Staff within the UBS group to interact with one another and UBS employees. This normally involves the hosting of your contact and e-mail information to allow UBS's global IT network to be established and populated with relevant details;
  - to manage our IT resources, including infrastructure management and business continuity.
- g) Other purposes:
- to exercise our duties and/or rights vis-à-vis you or third parties;
  - to enable a transfer, merger or disposal to a potential buyer, transferee, merger partner or seller and their advisers in connection with an actual or potential transfer, merger or disposal of part or all of UBS's business or assets, or any associated rights or interests, or to acquire a business or enter into a merger with it;
  - to offer our products and services to our customers and enter and manage relationships with our suppliers and other contract partners (e.g., we may communicate professional contact details of one of our employees to a customer or supplier, indicating that this person is the contact person within the UBS organization);
  - to collect data to ensure the security of buildings as well as property and information located or stored on the premises, to prevent, and if necessary investigate unauthorized physical access to secure premises (e.g., maintaining building access logs and CCTV system images).
  - otherwise safeguard overriding UBS, third party or public legitimate interests as per section 3.2.1

### **3.2 Basis for the processing of Personal Data**

UBS processes your Personal Data within the applicable legal framework. Where required and depending on the purpose of the processing activity, the processing of your Personal Data may be based on one of the following grounds:

- a) we have obtained your implied or explicit consent;
- b) the processing is necessary to safeguard the legitimate interests of UBS or of third parties (including but not limited to the data protection and privacy interest of our employees or other involved individuals) or to safeguard overriding public interests, without unduly affecting your interests or fundamental rights and freedoms;
- c) the processing is required to comply with legal or regulatory obligations. For example, in the context of the state supervision in Switzerland and abroad that the business operations of UBS are subject to, UBS and its Group entities may be obliged to carry out investigations and gather, report and/or disclose information relevant to their business activities, including your Personal Data. Where appropriate the personnel concerned will be informed in advance about such measures, whereby exceptions remain reserved (e.g., in case of criminal investigations).

#### **3.2.1 Data processing based on consent**

In some cases, and as may be requested from you from time to time, we have obtained your implied or explicit consent. For example to

- maintain Personal Data on global systems processed for business purposes and transferred to or accessed by employees of UBS and its Group entities and/or third parties in Switzerland and/or abroad;
- authorize UBS to transfer those of their personal records necessary, if employees are interested in working for a UBS branch or subsidiary in Switzerland or abroad, or have concluded a contract in this respect, for the administration of the employment relationship to the Human Resource unit responsible as well as to their prospective line managers and, if the processes involved so require, to their assistants (in Switzerland or abroad) - (see Section 3.1 c));
- collect, use, and/or disclose your Personal Data relating to the BYOD program (see Section 3.1 f));
- as otherwise permitted or required by applicable law, in particular the FADP or the Swiss Code of Obligations.

#### **3.2.2 Data processing based on legitimate interest**

A legitimate interest of UBS shall in particular be considered in the following instances, provided such interests are not overridden by your data protection and privacy interests.

The processing is necessary:

- to perform UBS contractual obligations towards your employer such as when UBS makes reimbursements to your employer or discusses future steps of your engagement with you and your employer;
- to benefit from cost-effective services, efficient solutions and subject-matter expertise (e.g., we may opt to use certain IT platforms offered by suppliers, or share basic Personal Data with another UBS entity if you transfer to that entity, for use by that UBS entity without collecting the information from you again. We may also share Personal Data with another UBS entity so that a team with the appropriate subject-matter expertise can provide advice or support);
- to prevent fraud or criminal activity, misuses of our products, resources or services as well as the security of our premises, information, IT systems, architecture and networks;
- to offer our products and services to our clients (e.g., we may communicate professional contact details of one of our personnel to a client or supplier, indicating that this person is the contact person within UBS);

- to provide for a centralized, global approach to the provision of IT services to our personnel and enable staff within the UBS group to interact with one another. This normally involves the hosting of your contact and e-mail information to allow UBS's global IT network to be established and populated with relevant details;
- to facilitate better working practices and to assist us in the development of staff;
- to monitor, investigate and ensure compliance with internal UBS policies, relevant laws or regulations;
- to cooperate with a request made in any actual or potential proceedings or the inquiries of a public or judicial authority;
- in connection with the receipt and handling of complaints, requests or reports from personnel or third parties made to compliance or to other units within UBS or the UBS Group (including, inter alia, in connection with the assertion by data subjects of their fundamental rights and freedoms, in particular their right to the protection of Personal Data);
- the processing is necessary for the establishment, exercise or defense of a legal claim from/against UBS or other entities within the UBS Group;
- to meet our corporate and social responsibility objectives.

#### **4 How do we protect Personal Data?**

All personnel accessing Personal Data must comply with the internal rules and processes in relation to the processing of your Personal Data to protect them and ensure their confidentiality.

UBS and the UBS Group have also implemented adequate technical and organizational measures to protect your Personal Data against unauthorized, accidental or unlawful destruction, loss, alteration, misuse, disclosure or access and against all other unlawful forms of processing.

#### **5 Who has access to Personal Data and with whom are they shared?**

##### **5.1 Within the UBS Group**

We make available Personal Data to members of our personnel and within the UBS Group for the purposes indicated in section 3.1. Other companies of the UBS Group may process your Personal Data on behalf and upon request of UBS.

##### **5.2 Outside UBS and the UBS Group**

###### **5.2.1 Third Parties**

We share Personal Data with other credit and financial services institutions and comparable institutions (including brokers, exchanges, upstream withholding agents; swap or trade repositories, stock exchanges, central securities depositories), our professional advisers and consultants (e.g., lawyers, tax accountants or labour consultants) or clients as part of you working on tasks related to or involving those parties.

###### **5.2.2 Service Providers**

In some instances, we also share Personal Data with our suppliers, who are contractually bound to confidentiality, such as IT system or hosting providers, payroll providers, cloud service providers, database providers, training, education and development providers and third parties who carry out vetting checks, and other goods and services providers (such as communication service providers). When we do so we take steps to ensure they meet our data security standards, so that your Personal Data remains secure.

Service providers are thereby mandated to comply with a list of technical and organisational security measures, irrespective of their location, including measures relating to: (i) information security management; (ii) information security risk assessment and (iii) information security measures (e.g., physical controls; logical access controls; malware and hacking protection; data encryption measures; backup and recovery management measures).

### **5.2.3 Public or regulatory authorities**

If required from time to time, we disclose Personal Data to public authorities, regulators or governmental bodies, courts or party to proceedings where we are required to disclose information by applicable law or regulation, under a code of practice or conduct, at their request, or to safeguard our legitimate interests.

### **5.2.4 Other**

- A potential buyer, transferee, merger partner or seller and their advisers in connection with an actual or potential transfer or merger of part or all of UBS's business or assets, or any associated rights or interests, or to acquire a business or enter into a merger with it;
- Any legitimate recipient required by applicable laws, regulations or UBS legitimate interest as indicated in section 3.2.1.

### **5.3 Data Transfer to other Countries**

The Personal Data transferred within or outside UBS and the UBS Group as set out in sections 5.1 and 5.2, is in some cases also processed in other countries. We only transfer your Personal Data abroad to countries which are considered to provide an adequate level of data protection, or in the absence of such legislation that guarantees adequate protection, based on appropriate safeguards (e.g., standard contractual clauses adopted by the European Commission and recognized by the competent Data Protection Authority) or another statutory exemption provided by local applicable law.

You may request additional information in this respect and obtain a copy of the relevant safeguard by contacting the Group Data Protection Office at [dpo-ch@ubs.com](mailto:dpo-ch@ubs.com). A list of the countries in which UBS and the UBS Group operate can be found at <https://www.ubs.com/global/en/our-firm/locations.html>.

## **6 How long do we store your data?**

We will only retain Personal Data for as long as necessary to fulfil the purpose for which it was collected or to comply with legal, regulatory or internal policy requirement. In general, your Personal Data will be kept for 10 years, beginning on the day that you leave UBS. There may be exceptions to this general rule, for example:

- a) Personal Data that is no longer required or has become obsolete may be destroyed while the External Staff relationship is still ongoing for proportionality reasons;
- b) In certain cases, UBS may store and process Personal Data for a longer period than 10 years, in particular for compliance or risk management purposes, to comply with (other) legal and regulatory requirements, or if it is in UBS' legitimate interest.

However, if you wish to have your Personal Data removed from our databases, you can make a request as described in section 7 below, which we will review as set out therein.

## **7 What are your rights and how can you exercise them?**

### **7.1 Your rights**

You have a right to access and to obtain information regarding your Personal Data that we process. If you believe that any information we hold about you is incorrect or incomplete, you may also request the correction of your Personal Data. If you are unable to do this or are otherwise concerned that the information recorded about you is inaccurate, please contact us using the details below.

You also have the right to:

- object to the processing of your Personal Data;
- erase your Personal Data;
- restrict the processing of your Personal Data; and/or
- withdraw your consent where UBS obtained your consent to process Personal Data (without this withdrawal affecting the lawfulness of any processing that took place prior to the withdrawal).

UBS will honour such requests, as applicable under the FADP but these rights are not absolute as they do not always apply, and exemptions may be engaged. We will usually, in response to a request, ask you to verify your identity and/or provide information that helps us to understand your request better. If we do not comply with your request, we will explain why.

In certain circumstances UBS may process your Personal Data through automated decision-making. Where this takes place, you will be informed of such automated decision-making that uses your Personal Data and be given information on criteria and procedures applied. You can request an explanation about automated decision making carried out and that a natural person reviews the related decision where such a decision is exclusively based on such processing.

## 7.2 Exercising your rights

To exercise the above rights, please submit a [HR Snow Request](#) or send an email to [sh-hr-data-requests-snow@ubs.com](mailto:sh-hr-data-requests-snow@ubs.com).

If you are not satisfied with how UBS processes your Personal Data, please let us know and we will investigate your concern. Please raise any concerns by contacting the Group Data Protection Office at [dpo-ch@ubs.com](mailto:dpo-ch@ubs.com).

If you are not satisfied with UBS's response, you have the right to make a complaint to the Federal Data Protection and Information Commissioner. The contact details can be found at the following website: <https://www.edoeb.admin.ch/edoeb/de/home/der-edoeb/kontakt.html>.

## 8 Changes to Personal Data

In the interest of keeping Personal Data properly up to date and accurate, we will ask you periodically to review and confirm the Personal Data we hold about you and/or to inform us of any change in relation to your Personal Data (such as a change of address).

## 9 Updates to this Notice

This Notice was updated in March 2022. We reserve the right to amend it from time to time. Any amendment or update to this Notice we will make available to you [here](#). Please visit the UBS website frequently to understand the current Notice, as the terms of this Notice are closely related to you.

## 10 List of contracting UBS entities covered by this Notice

Country	Entity Name	Registered Address
Switzerland	UBS AG	Bahnhofstrasse 45, Zürich, 8001, Switzerland; Aeschenplatz 6, Basel, 4052, Switzerland
Switzerland	UBS Asset Management Switzerland AG	Bahnhofstrasse 45, Zürich, 8001, Switzerland
Switzerland	UBS Business Solutions AG	Bahnhofstrasse 45, Zürich, 8001, Switzerland
Switzerland	UBS Card Center AG	Flughofstrasse 35, Glattbrugg, 8152, Switzerland
Switzerland	UBS Fund Management (Switzerland) AG	Aeschenplatz 6, Basel, 4002, Switzerland
Switzerland	UBS Swiss Financial Advisers AG	Löwenstrasse 49, Zürich, 8001, Switzerland
Switzerland	UBS Switzerland AG	Bahnhofstrasse 45, Zürich, 8001, Switzerland

If you have any questions or comments about this Notice, please contact the Group Data Protection Office at the following email address: [dpo-ch@ubs.com](mailto:dpo-ch@ubs.com). For additional information please visit [goto/groupdpo](#).