



## **SAFE HARBOR POLICY**

**PLEASE PRINT AND POST THIS DOCUMENT ON NOTICEBOARD AT ALL APPROPRIATE SITES TO ENSURE EMPLOYEES WITHOUT COMPUTER ACCESS HAVE AN OPPORTUNITY TO READ IT. IF A HARD COPY IS REQUESTED, PLEASE CONTACT HR.**

### **SAFE HARBOR POLICY:**

Formica Corporation ("Formica") respects individual privacy and values the confidence of its associates, customers, vendors and those with whom we do business. Formica strives to collect, use and disclose personal information in a manner consistent with the laws of the countries in which it does business, and upholds high ethical standards in its business practices. This Safe Harbor Privacy Policy (the "Policy") sets forth the privacy principles that Formica follows with respect to personal information transferred to Formica locations in the United States ("US") from Formica locations in the European Economic Area, which includes all of the European Union ("EU") member states as well as Norway, Lichtenstein and Iceland (the "EEA") and Switzerland. Formica complies with the U.S.-EU Safe Harbor Framework and the U.S.-Swiss Safe Harbor Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information from European member countries and Switzerland. To learn more about the Safe Harbor program, and to view Formica's certification, please visit <http://www.export.gov/safeharbor/>.

### **SCOPE**

This Policy applies to personal information relating to all employees as well as customers and those with whom we do business that is received by Formica in the United States from sources in the EEA and Switzerland, in any format or medium.

### **DEFINITIONS**

For purposes of this Policy, the following definitions shall apply:

"Agent" means any third party that collects or uses personal information under the instructions of and for Formica.

"Personal information" means any information or set of information that identifies or is used by or on behalf of Formica to identify an employee, associate or other worker. Personal information does not include information that is anonymized, nor does it include publicly available information that has not been combined with non-public personal information.

"Sensitive personal information" means personal information that reveals an individual's race, ethnic origin, sexual orientation, political opinions, religious or philosophical beliefs, or trade union membership, or that concerns an individual's health.

As used below, "Formica" means Formica and its affiliates that operate in the EEA or Switzerland.

**PRIVACY PRINCIPLES:** Formica will adhere to the following privacy principles with regard to personal information within the scope of this Policy:

**NOTICE:** Where Formica collects personal information directly from or concerning EEA and Swiss nationals, it will endeavor to maintain a process to inform them about the type of personal information collected, the purposes for which it collects and uses the personal information, the types of third parties to which Formica discloses or may disclose that information, and the choices and means, if any, Formica offers those persons for limiting the use and disclosure of their personal information. Formica will endeavor, where possible, to provide notice in clear and



conspicuous language when those persons are first asked to provide personal information to Formica, or as soon as practicable thereafter, and in any event before Formica uses or discloses the information for a purpose other than that for which it was originally collected.

Where Formica receives personal information from its affiliates operating in the EEA (collectively, "EEA Entities") or Switzerland, it will endeavor to use and disclose such information in accordance with the notices provided by such entities and the choices made by the individuals to whom such personal information relates. Formica will endeavor to make sure its EEA and Swiss Entities have processes in place to comply with the Safe Harbor principles set forth herein.

**CHOICE:** Formica will endeavor to offer persons whose information is obtained or processed the opportunity to choose whether their personal information is (a) to be disclosed to a third party, or (b) to be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual.

For sensitive personal information, Formica will endeavor to give those persons the opportunity to affirmatively and explicitly consent to the disclosure of the information to a third party or the use of the information for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual.

Formica will endeavor to provide those persons with reasonable mechanisms to exercise their choices.

**ACCESS AND CORRECTION:** Upon request and where required or otherwise appropriate, Formica will endeavor to grant persons whose information is obtained or processed reasonable access to personal information that it holds about them. Such access may be denied by Formica where (i) such access could potentially disclose personal information of another person, and therefore, violate his/her privacy rights; (ii) such access could potentially disclose information relating to any ongoing Formica investigation; (iii) such access could potentially disclose Formica's confidential information; (iv) the cost of such access would be significantly disproportionate to the benefits derived; (v) Formica has a reasonable good faith belief that the request is not to correct data but to hide or alter data that could adversely affect the person requesting the correction; and (vi) at any point it becomes clear that the frequency of any person's access requests are unjustified and harassing in nature. In the event a request is denied, Formica will notify the individual regarding the reasons for denial in writing. In addition, Formica will endeavor to take reasonable steps to permit persons whose information we have to correct, amend, or delete information that is demonstrated to be inaccurate or incomplete.

**DATA INTEGRITY:** Formica will endeavor to use personal information only in ways that are compatible with the purposes for which it was collected or subsequently authorized by the individual. Formica will endeavor to take reasonable steps to ensure that personal information is relevant to its intended use, accurate, complete, and current.

**TRANSFERS TO AGENTS:** Formica will endeavor to obtain assurances from its Agents that they will safeguard personal information consistently with this Policy. Examples of appropriate assurances that may be provided by Agents include: a contract obligating the Agent to provide at least the same level of protection as is required by the relevant Safe Harbor Principles; being subject to EU Directive 95/46/EC (the EU Data Protection Directive) or the U.S.-Swiss Safe Harbor Framework, or compliance with prevailing local country legislation relating thereto; Safe Harbor certification by the Agent; or being subject to another European Commission adequacy finding. Where Formica becomes aware that an Agent is using or disclosing personal information in a manner contrary to this Policy, Formica will take reasonable steps to prevent or stop the use or disclosure.



**SECURITY:** Formica will maintain a program designed to take reasonable precautions to protect personal information in its possession from loss, misuse and unauthorized access, disclosure, alteration and destruction.

**ENFORCEMENT:** Formica will periodically review its compliance with this Policy. Except to the extent otherwise prohibited by applicable law, any employee, associate or other worker that the Formica determines is in violation of this Policy will be subject to disciplinary action up to and including termination of employment.

**DISPUTE RESOLUTION:** Any questions or concerns regarding the use or disclosure of personal information should be directed to Formica at the address given below. Formica will investigate and attempt to resolve complaints and disputes regarding use and disclosure of personal information in accordance with the principles contained in this Policy. For complaints that cannot be resolved between Formica and the complainant, Formica agrees to participate in the dispute resolution procedures acceptable to the European data protection authorities to resolve disputes pursuant to the Safe Harbor Principles.

#### **LIMITATION ON APPLICATION OF PRINCIPLES**

Adherence by Formica to these Safe Harbor Principles may be limited (a) to the extent required to respond to a legal or ethical obligation; and (b) to the extent expressly permitted by an applicable law, rule or regulation.

#### **CONTACT INFORMATION**

Questions or comments about this Policy should be submitted to the following by phone or e-mail:

[NA.safeharbor@formica.com](mailto:NA.safeharbor@formica.com)  
800-366-3860

#### **CHANGES TO THIS SAFE HARBOR PRIVACY POLICY**

This Policy may be amended from time to time, consistent with the requirements of the Safe Harbor Principles. A notice will be posted on an appropriate electronic communication system whenever this Safe Harbor Privacy Policy is changed in a material way.