

Notice for the Processing of Personal Data to Fluor Corporation Business or Contracting Partners, Suppliers, or Other Third Parties Related to Coronavirus (COVID-19) Pandemic

This notice supplements the notice of Fluor Corporation and certain of its subsidiaries ('Fluor') for its personal data processing activities relating to you, as a Fluor business or contracting partner, supplier, or other related third party (herein, a "Third Party" or in plural, "Third Parties") for additional personal data processing related to the Coronavirus (COVID-19) pandemic. While Fluor's original notice to you may cover these activities, in the interest of greater fairness and transparency, Fluor now supplements that notice to explain in greater detail as to certain specific personal data, the applicable legal bases for processing your personal data, describe what personal data is held, where it is held, to what third parties it is transferred, for what purposes it may be used, to what categories of recipients it is transferred, for what periods it is held. This Notice is provided in order to comply with applicable law, including but not limited to the law of the European Union. It may be supplemented by additional, jurisdiction-specific processing notices or additional, application-specific notices.

Identity of Information Controller and Contact Details

The company that is primarily responsible for the collection and processing of your personal data will be the local Fluor company with whom you directly transact business. In some cases, Fluor will act as a "joint controller" with that entity, sharing responsibility for collecting and processing your personal data, including sharing responsibility to make sure that your data is handled safely and securely.

The contact details for Fluor, and its local company offices and other locations, may be found through its website, www.fluor.com/about-fluor/locations. If you require further information about privacy and data protection, you may contact us as detailed below.

Personal Data Processed and Purposes of Processing

For the purposes of (1) protection of company employees and third parties when on the company's physical property or on sites for which the company has some site supervisory responsibility, (2) compliance with HR policies and procedures relating to the health and safety of employees and as applicable other third parties, (3) complying with legal obligations to cooperate with regulatory bodies to whose jurisdiction Fluor is subject, and (4) complying with and administering its legal rights and obligations under its contract with clients. Fluor may process personal data of third parties including, but not limited to: data about specific health conditions, and related personal data about the existence of risk factors for specific health conditions (but used only as strictly necessary for lawful, limited purposes, such as contact tracing or providing to public health authorities as is legally required on demand, and for site/employee safety); and information about recent travel, work location, existence or applicability of work restrictions for travel-related or other reasons, which may be used for the same purposes.

To the degree that specific joint venture or other partnering arrangements depart substantively from the terms of this Notice, such departure shall be noted in a separate Notice or Notices posted by the applicable data controller or controllers in connection with the operation of that joint venture or other partnering arrangement. Such applicable Notice or Notices shall also set forth the nature of the personal data which is processed.

Please consult the applicable Project Information Manager, or use the contact details listed above, should you have any questions in connection with any such specific arrangement.

Note on Jurisdiction-Specific Limitations on Categories of Data Processed

Notwithstanding the above, Fluor observes jurisdiction-specific limitations on the categories of data processed, the manner of their collection, and requirements on pseudonymization or anonymization that specific national data privacy regulators may impose from time to time. For example, as of the date of this notice, certain regulators in Europe restrict how and by whom, certain personal health information may be collected, for example regarding the collection of personal body temperature. If you have any questions about any such local limitations, please contact a representative as directed below.

Legal Bases for Processing of Your Personal Data

The processing of your personal data described above is based on several grounds. To reiterate, the following additional information relates only to the special issues raised by processing of health-related data, or union membership data used to associate health related data to specific persons, and the basis which Fluor relies upon in processing this personal data. The below information relates to European Union law and the bases thereunder.

First, to protect and provide for the health and safety of Fluor employees. Second, in for the purpose of managing an ongoing pandemic, such as Ebola, or COVID-19. Third, for the establishment, exercise, and defense of legal claims, such as claims of force majeure or change in law during the course of a pandemic. Fourth, for the purpose of providing leave or other accommodations as provided for under governing law. The following, additional lawful bases of processing your personal data also constitute additional conditions for the processing of this personal data, which is necessary because this personal data is special data.

First, the processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent, such as the case of a health emergency, including cases where it is necessary to protect an interest which essential for the life of the data subject or that of another natural person. This legal basis also serves the public interest purpose listed below, when processing is necessary for the humanitarian purpose of monitoring epidemics and their spread.

Second, the processing is necessary for the establishment, exercise or defense of legal claims or whenever courts are acting in their judicial capacity, but in this case, on an anonymized or pseudonymized basis, as if applicable, under appropriate data secrecy or data protection orders agreed to by parties to litigation and/or issued by a court of competent jurisdiction, and otherwise and in all respects consistent with applicable law.

Third, the processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy. Note that some types of processing may serve both this and the first ground stated above, when processing is necessary for the humanitarian purpose of monitoring for the Coronavirus pandemic and its spread.

Where Your Personal Data is Held

To the extent possible and practicable during this pandemic, Fluor is using centralizing the processing of your personal data on standard tools, or storing your personal data on local tools that meet applicable requirements for the implementation of technical and organizational controls having regard to the level of sensitivity of the data, pursuant to Fluor standard procedures.

Transfer of Your Information to Third Parties or Third Countries

Your personal data may also be transferred to Fluor companies throughout the globe, and to third parties (such as organizations providing a service to Fluor) established outside the country in which you are located.

Fluor complies with all applicable law, including European law, to ensure that adequate safeguards are in place to protect the personal data of Third Parties, transferred to other Fluor entities or to third parties located outside Europe. Fluor is committed to maintaining the privacy and security of your personal data and to ensuring that your personal data may only be processed in accordance with the Company's global and local privacy and information security policies and procedures, and Fluor's Binding Corporate Rules policy (BCR) which is applicable to personal data collected or processed in European Union member states or in the European Economic Area. A copy of the BCR can be found on the Fluor internet within the company's [Privacy Policy](#) site.

If you require further information about privacy and data protection you may contact us as detailed below.

Categories of Recipients of Personal Data and Retention Periods

The personal data held by Fluor either in manual form or in the electronic records databases may be disclosed for the purposes listed above, to: authorized personnel including business managers, team leaders and other staff in the appropriate Fluor offices, including, in limited cases, project personnel processing personal data for business purposes on projects; certain other Fluor employees who may, from time to time, incidentally handle your personal data but only for legitimate business purposes and after receiving any appropriate training and certain IT or IT security personnel, but only for purposes of administering the Fluor network or its security and integrity; clients, or partners such as affiliated companies, or joint venture or consortium partners; third parties such as governmental agencies or where Fluor is under a legal obligation to provide your personal data; third parties who provide a service to Fluor (for example, IT service providers, or business contact information management service providers), where such third parties agree to protect the confidentiality of the personal data and to process it only in accordance with the original purposes for which it was collected.

Your personal data will be held for only so long as it is needed for Fluor's business purposes, and in accordance with applicable corporate document retention schedules and local law or regulation. These schedules are designed to comply with applicable data privacy and other legislation, and to assist Fluor in maintaining business records which it may need to conduct its business and to respond to lawful requests for information in connection with legal claims or disputes.

Certain Rights You Have Regarding Your Personal Data and Certain Other Information

Third parties whose information is collected and processed within the European Union have certain rights under European law. Pursuant to the Fluor Binding Corporate Rules Policy, Appendix 1, Data Subject Rights Request Procedure, you have the right to access and rectify, or erase, your personal data under certain circumstances, to object to its processing, and certain other rights. You have the right to lodge a complaint regarding how Fluor handles your personal data with the local supervisory authority for data protection within your specific European Union member state of residence, place of work, or place of alleged infringement of applicable data privacy law.

Providing personal data to Fluor is, in some cases, a requirement for your doing business with Fluor. If you fail to provide such data, Fluor may not be able to do business with you.

Modifications to this Notice

This notice will be updated from time to time to make sure that Fluor complies with legal requirements. If Fluor varies this notice at any time, such changes will be notified to all affected employees as required by applicable law.

This Notice was last updated on June 1, 2020.

Provided by:

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