

CCPA Notice at Collection: Applicant and Employees

Last Updated: 6/30/2023

This notice describes the categories of Personal Information (“PI”) collected by Virtus Investment Partners, Inc. and its affiliates (“Company”) from and about California applicants and employees (each a “Consumer”), the purposes for which Consumer PI may be used, how long we retain this information, and rights you may have in accordance with California Civil Code Sec. 1978.100 *et seq.*

For additional information about the Company’s data privacy practices, please see our Privacy Policy <https://www.virtus.com/assets/files/1/virtus-affiliate-privacy-notice-03-2023-002.pdf>.

Categories of Personal Information Collected

We may collect or have collected in the preceding 12 months the following categories of Personal Information:

Identifiers and Contact information. This category includes names, addresses, telephone numbers, mobile numbers, email addresses, dates of birth, Social Security numbers, driver’s license or state identification numbers, bank account information, and other similar contact information and identifiers.

Protected classification information. This category includes characteristics of protected classifications under California or federal law.

Biometric information. This category includes fingerprint scans and related information.

Internet or other electronic network activity information. This category includes without limitation:

- all activity on the Company’s website or information systems, such as internet browsing history, search history, intranet activity, email communications, social media postings, stored documents and emails, usernames, and passwords.
- all activity on communications systems including phone calls, call logs, voice mails, text messages, chat logs, app use, mobile browsing and search history, mobile email communications, and other information regarding use of company-issued devices.

Geolocation data. This category includes GPS location data from company-issued mobile devices such as employee travel activities or an IP address.

Audio, Electronic, Visual, Thermal, Olfactory, or Similar Information. This category includes, for example, information collected from voicemail, cameras, and similar devices.

Professional and employment-related information. This category includes without limitation:

- data submitted with employment applications including salary history, employment history, employment recommendations, etc.
- background check and criminal history;
- work authorization
- fitness for duty data and reports
- performance and disciplinary records
- salary and bonus data
- benefit plan enrollment, participation, and claims information.
- leave of absence information including religious and family obligations, physical and mental health data concerning employee and his or her family members

Education information. This category includes education history.

Sensitive Personal Information. This is PI that reveals a Consumer's:

- Social Security, driver's license, state identification card, or passport number.
- account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account.
- precise geolocation;
- racial or ethnic origin, religious or philosophical beliefs, or union membership.
- contents of a consumer's mail, email, and text messages unless the business is the intended recipient of the communication.
- genetic data.
- biometric information for the purpose of uniquely identifying a Consumer.
- information concerning health.
- information concerning sex life or sexual orientation.

Inferences drawn from the PI in the categories above.

The Company may add to the categories of Personal Information it collects and the purposes it uses Personal Information. In that case, the Company will inform you.

How We Use Your Personal Information

We may collect and use your Personal Information for the following purposes.

- Maintaining physician records and occupational health programs.
- Communicating with applicants about a current application, future job opportunities or current and past employment
- Submitting relevant information to prospective employers.

- Submitting relevant information for payment of wages and bonuses.
- Processing payroll, other forms of compensation, and employee benefit plan and program design and administration including enrollment and claims handling and leave of absence administration.
- Improving accuracy of time management systems, attendance, including vacations, sick leave, and other absence monitoring.
- Providing training and development opportunities.
- Designing, implementing, and promoting the Company's diversity and inclusion programs.
- Facilitating the efficient and secure use of the Company's information systems.
- Ensuring compliance with the Company information systems policies and procedures.
- Improving safety of applicants, employees, clients and the public with regard to use of Company property and equipment.
- Improving efficiency.
- Evaluating an individual's appropriateness for a particular position at the Company or promotion to a new position.
- Protecting the legal rights, privacy, safety or property of Company or its employees, agents, contractors, clients or the public.
- Protecting against fraud or other illegal activity or for risk management purposes.
- Responding to and managing legal claims against the Company and/or its personnel, including civil discovery in litigation.
- Facilitating other business administrative functions and strategic activities, such as risk management, information technology and communications, financial management and reporting, workforce and succession planning, merger and acquisition activities, and maintenance of licenses, permits and authorization applicable to Company operations.
- Collect and process employment applications, including confirming eligibility for employment, background and related checks, and onboarding.
- Processing payroll and employee benefit plan and program administration including enrollment and claims handling.

- Maintaining personnel records and record retention requirements
- Communicating with employees and/or employees' emergency contacts and plan beneficiaries
- Complying with applicable state and federal labor, employment, tax, benefits, workers compensation, disability, equal employment opportunity, workplace safety, and related laws
- Preventing unauthorized access to or use of the Company's property, including the Company's information systems, electronic devices, network, and data
- Ensuring employee productivity and adherence to the Company's policies
- Investigating complaints, grievances, and suspected violations of Company policy
- Complying with applicable state and federal Equal Employment Opportunity laws
- Design, implement, and promote the Company's diversity and inclusion programs.
- Enhance security.
- This information is retained by a third-party for access to their systems.
- Facilitate the efficient and secure use of the Company's information systems.
- Ensure compliance with Company information systems policies and procedures.
- Complying with applicable state and federal laws
- Complying with SEC Regulations
- Preventing unauthorized access to, use, or disclosure/removal of the Company's property, records, data, and information
- Enhance employee productivity.
- Investigate complaints, grievances, and suspected violations of Company policy.
- Improve safety of employees, customers, and the public with regard to use of Company property and equipment
- Preventing unauthorized access, use, or loss of Company property
- Improve efficiency, logistics, and supply chain management.

- Improve the safety of employees regarding infectious disease.
- Collect and process employment applications, including confirming eligibility for employment, background and related checks, and onboarding.
- Employee benefit plan and program design and administration, including leave of absence administration.
- Maintaining personnel records and complying with record retention requirements
- Communicating with employees and/or employees' emergency contacts and plan beneficiaries
- Complying with applicable state and federal labor, employment, tax, benefits, workers compensation, disability, equal employment opportunity, workplace safety, and related laws
- Business management
- Preventing unauthorized access to or use of the Company's property, including the Company's information systems, electronic devices, network, and data
- Ensuring employee productivity and adherence to the Company's policies
- Recruiting, including Executive Assessments as appropriate for the position
- Investigating complaints, grievances, and suspected violations of Company policy
- Evaluate an individual's appropriateness for a participation position at the Company, or promotion to a new position.
- Evaluate an individual's appropriateness for a participation position at the Company, or promotion to a new position.
- Create a profile that reflects the employee's preference, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.
- To identify certain correlations about individuals and success on their jobs.

Sources of Personal Information

We may collect your Personal Information from the following sources:

You. We may collect Personal Information directly from you or your device, such as through your use of our website, facilities, or systems, when you send us an email, contact us by phone, or otherwise communicate or interact with us. We collect information when you are an applicant for employment with us or employed by us.

Related Entities and Affiliates. We may collect information about you from our related parties and affiliates.

Social media and related services. We may collect information about you through your social media services consistent with your settings on such services.

Third parties. We may collect information about you from third parties such as your references, background check vendors, staffing agencies, clients, or other third-party sources that are lawfully entitled to share your data with us. This may include service providers or contractors who collect or process your PI on our behalf.

Information Collected Automatically. As you navigate through and interact with our website or use our information systems, we may compile information concerning your usage.

Disclosures of Your Personal Information

To carry out the purposes outlined above, we may disclose your Personal Information to our affiliates, service providers and contractors (e.g., background check vendors, third-party staffing vendors, payroll processors, information technology vendors), outside legal counsel and government entities.

We may also disclose your personal information to third parties, if necessary, to: (1) comply with federal, state, or local laws; (2) comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities; (3) cooperate with law enforcement agencies concerning conduct or activity that we reasonably and in good faith believe may violate federal, state, or local laws; or (4) exercise or defend legal claims.

Lastly, we may transfer personal information to a third party as part of a merger, acquisition, bankruptcy, or other transaction in which the third party assumes control or acquires of all or part of the assets of our business.

We may disclose or have disclosed in the preceding 12 months the following Personal Information:

Categories of Personal Information	Categories of Third Parties to Whom Disclosed
<u>Identifiers and contact information</u> such as name, postal address, email address, phone number, account name, date of birth, Social	Third parties as directed by you. Affiliates.

<p>Security number, driver’s license number, photograph, passport number, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers.</p> <p>NOTE: The information in this category may include the following elements of Sensitive Personal Information: Social Security number, driver’s license number, state identification card number, and/or passport number.</p>	<p>Our business partners. For example, we might disclose your personal information to one of our business partners for benefit administration.</p> <p>Third parties that perform services on our behalf. For example, we may disclose information to certain service providers, information technology providers, background check vendors, payroll and benefits managers, and data storage companies. We might also authorize our service providers to collect personal information on our behalf.</p> <p>Successors to all or portions of our business. If all or part of our business is sold, we may disclose personal information in preparation for or as part of that transaction.</p> <p>Governmental entities, legal service providers.</p>
<p><u>Protected classification information</u> – such as citizenship, ethnic background, gender, or other similar identifiers.</p> <p>NOTE: The information in this category may include the following elements of Sensitive Personal Information: racial, ethnic, or national origin.</p>	<p>Third parties as directed by you.</p> <p>Affiliates.</p> <p>Our business partners. For example, we might disclose your personal information to one of our business partners for benefit administration.</p> <p>Third parties that perform services on our behalf. For example, we may disclose information to certain service providers, information technology providers, payroll and benefits managers, and data storage companies. We might also authorize our service providers to collect personal information on our behalf.</p> <p>Successors to all or portions of our business. If all or part of our business is sold, we may disclose personal information in preparation for or as part of that transaction.</p>

	<p>Governmental entities, legal service providers.</p>
<p>Biometric Information</p> <p>NOTE: Biometric information is considered an element of Sensitive Personal Information.</p>	<p>Third parties as directed by you.</p> <p>Affiliates.</p> <p>Our business partners. For example, we might disclose your personal information to one of our business partners to ensure security of company property.</p> <p>Third parties that perform services on our behalf. For example, we may disclose information to certain service providers, information technology providers, payroll and benefits managers, and data storage companies. We might also authorize our service providers to collect personal information on our behalf.</p> <p>Successors to all or portions of our business. If all or part of our business is sold, we may disclose personal information in preparation for or as part of that transaction.</p> <p>Governmental entities, legal service providers.</p>
<p>Internet or other electronic network activity – such as browsing history, search history, a consumer’s interaction with an internet website, application, or advertisement.</p> <p>NOTE: The information in this category may include the following elements of Sensitive Personal Information: the contents of mail, email, or text messages, to which the business was not the intended recipient.</p>	<p>Third parties as directed by you.</p> <p>Affiliates.</p> <p>Our business partners. For example, we might disclose your personal information to one of our business partners for governmental reporting.</p> <p>Third parties that perform services on our behalf. For example, we may disclose information to certain service providers, information technology providers, payroll and benefits managers, and data storage companies. We might also authorize our service providers to collect personal information on our behalf.</p>

	<p>Successors to all or portions of our business. If all or part of our business is sold, we may disclose personal information in preparation for or as part of that transaction.</p> <p>Governmental entities, legal service providers.</p>
<p>Geolocation data</p> <p>NOTE: The information in this category may include the following elements of Sensitive Personal Information: precise geolocation.</p>	<p>Third parties as directed by you.</p> <p>Affiliates.</p> <p>Our business partners. For example, we might disclose your personal information to one of our business partners during cell phone use.</p> <p>Third parties that perform services on our behalf. For example, we may disclose information to certain service providers, information technology providers, payroll and benefits managers, and data storage companies. We might also authorize our service providers to collect personal information on our behalf.</p> <p>Successors to all or portions of our business. If all or part of our business is sold, we may disclose personal information in preparation for or as part of that transaction.</p> <p>Governmental entities, legal service providers.</p>
<p>Audio, electronic, visual, or similar information.</p>	<p>Third parties as directed by you.</p> <p>Affiliates.</p> <p>Our business partners. For example, we might disclose your personal information to one of our business partners for records administration.</p> <p>Third parties that perform services on our behalf. For example, we may disclose information to certain service providers, information technology providers, payroll and benefits managers, and data storage</p>

	<p>companies. We might also authorize our service providers to collect personal information on our behalf.</p> <p>Successors to all or portions of our business. If all or part of our business is sold, we may disclose personal information in preparation for or as part of that transaction.</p> <p>Governmental entities, legal service providers.</p>
<p>Education or professional information, including veteran status or other similar identifiers.</p> <p>NOTE: The information in this category may include the following elements of Sensitive Personal Information: union membership.</p>	<p>Third parties as directed by you.</p> <p>Affiliates.</p> <p>Our business partners. For example, we might disclose your personal information to one of our business partners for governmental reporting.</p> <p>Third parties that perform services on our behalf. For example, we may disclose information to certain service providers, information technology providers, payroll and benefits managers, and data storage companies. We might also authorize our service providers to collect personal information on our behalf.</p> <p>Successors to all or portions of our business. If all or part of our business is sold, we may disclose personal information in preparation for or as part of that transaction.</p> <p>Governmental entities, legal service providers.</p>
<p><u>Professional and employment-related information.</u></p>	<p>Third parties as directed by you.</p> <p>Affiliates.</p> <p>Our business partners. For example, we might disclose your personal information to one of our business partners for professional certifications.</p>

	<p>Third parties that perform services on our behalf. For example, we may disclose information to certain service providers, information technology providers, payroll and benefits managers, and data storage companies. We might also authorize our service providers to collect personal information on our behalf.</p> <p>Successors to all or portions of our business. If all or part of our business is sold, we may disclose personal information in preparation for or as part of that transaction.</p> <p>Governmental entities, legal service providers.</p>
<p><u>Sensitive Information.</u></p>	<p>Third parties as directed by you.</p> <p>Affiliates.</p> <p>Our business partners. For example, we might disclose your personal information to one of our business partners for benefit administration.</p> <p>Third parties that perform services on our behalf. For example, we may disclose information to certain service providers, information technology providers, payroll and benefits managers, and data storage companies. We might also authorize our service providers to collect personal information on our behalf.</p> <p>Successors to all or portions of our business. If all or part of our business is sold, we may disclose personal information in preparation for or as part of that transaction.</p> <p>Governmental entities, legal service providers.</p>
<p>Inferences drawn from personal information – such as individual profiles, preferences, characteristics, behaviors, or other similar identifiers.</p>	<p>Third parties as directed by you.</p> <p>Affiliates.</p>

<p>NOTE: The information in this category may include the following elements of Sensitive Personal Information: racial or ethnic origin, religious or philosophical beliefs, union membership, health information.</p>	<p>Our business partners. For example, we might disclose your personal information to one of our business partners for our diversity promotion efforts.</p> <p>Third parties that perform services on our behalf. For example, we may disclose information to certain service providers, information technology providers, payroll and benefits managers, and data storage companies. We might also authorize our service providers to collect personal information on our behalf.</p> <p>Successors to all or portions of our business. If all or part of our business is sold, we may disclose personal information in preparation for or as part of that transaction.</p> <p>Governmental entities, legal service providers. Third parties as directed by you.</p>
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Retention. Unless otherwise noted above, we retain your Personal Information for as long as is necessary to fulfill the purpose for which it was collected (e.g., to process your application for employment, manage the employment relationship, etc.) and in accordance with the Company’s data retention schedule. We may retain your Personal Information for longer if it is necessary to comply with our legal or reporting obligations (e.g., if we are required to retain your data to comply with applicable laws), resolve disputes, enforce our legal agreements and policies, address other legitimate business needs, or as permitted or required by applicable law. We may also retain your Personal Information in a deidentified or aggregated form so that it can no longer be associated with you.

To determine the appropriate retention period for your Personal Information, we consider various factors such as the amount, nature, and sensitivity of your information; the potential risk of unauthorized access, use or disclosure; the purposes for which we collect or process your Personal Information; and applicable legal requirements. Personal information does *not* include certain categories of information, such as publicly available information from government records, and deidentified or aggregated information.

We do not “sell” or “share”, as those terms are defined under the CCPA, the above categories of Personal Information.

We do not use or disclose your Sensitive Personal Information for purposes that, with limited exceptions, are not necessary for the application or employment related purpose for which we collect it or as reasonably expected by an average individual in this context or for other permitted purposes under the CCPA or as authorized by regulation.

Retention. Unless otherwise noted above, we retain your Personal Information for as long as is necessary to fulfill the purpose for which it was collected (e.g., to process your application for employment, manage the employment relationship, etc.) and in accordance with the Company's data retention schedule. We may retain your Personal Information for longer if it is necessary to comply with our legal or reporting obligations (e.g., if we are required to retain your data to comply with applicable laws), resolve disputes, enforce our legal agreements and policies, address other legitimate business needs, or as permitted or required by applicable law. We may also retain your Personal Information in a deidentified or aggregated form so that it can no longer be associated with you.

To determine the appropriate retention period for your Personal Information, we consider various factors such as the amount, nature, and sensitivity of your information; the potential risk of unauthorized access, use or disclosure; the purposes for which we collect or process your Personal Information; and applicable legal requirements. Personal information does *not* include certain categories of information, such as publicly available information from government records, and deidentified or aggregated information.

California Resident Individual Rights Requests. Individuals who are residents of the State of California have the following individual rights, subject to certain limitations.

Right To Know About Personal Information Collected or Disclosed. As a California resident, you have the right to request additional information beyond that disclosed above regarding the following, to the extent applicable:

- the categories of Personal Information the Company collected about you.
- the categories of sources from which that Personal Information was collected.
- the business or commercial purposes for which that information was collected, sold, or shared.
- the categories of third parties to whom the information was disclosed.
- the specific pieces of Personal Information collected.

Upon receipt of a verifiable Request to Know (see below), and as required by applicable law, we will provide a response to such request.

Right To Request Deletion of Your Personal Information. You have the right to request that we delete the Personal Information we collected or maintain about you. Once we receive your request, we will let you know what, if any, Personal Information we can delete from our records and will direct any service providers, contractors, and third parties to whom we disclosed your Personal Information to also delete your Personal Information from their records.

There may be circumstances where we cannot delete your Personal Information or direct service providers, contractors, or third parties to delete your Personal Information from their records.

Such instances include, without limitation, when the information at issue is maintained: (a) to enable solely internal uses that are reasonably aligned with your expectations based on your relationship with the Company and compatible with the context in which you provided the information, or (b) to comply with a legal obligation.

Upon receipt of a verifiable Request to Delete (see below), and as required by applicable law, we will provide a response to such requests.

Right to Request Correction. You have the right to request that the Company correct any inaccurate Personal Information we maintain about you, taking into account the nature of that information and purpose for processing it. Upon receipt of a verifiable Request to Correct (see below), and as required by the CCPA, we will provide a response to such requests.

Right to Non-Discrimination for the Exercise of Your Privacy Rights. We will not discriminate or retaliate against you for exercising any of the rights described above.

Submitting CCPA Rights Requests. To submit a CCPA Rights request, please contact us at 877-323-8172 or email us at ccparights@kayne.com. We reserve the right to only respond to verifiable Requests to Know, Delete, or Correct that are submitted as instructed. A verifiable consumer request is one made by any individual who is:

- the individual who is the subject of the request,
- an individual on behalf of the individual's minor child, or
- the authorized agent of the individual.

What to submit. If we request, you must provide us with sufficient information to verify your identity and/or authority to act on behalf of the individual. In general, we may ask you to provide identifying information that we already maintain about you, or we may use a third-party verification service. In either event, we will try to avoid asking you for sensitive Personal Information to verify your identity. We may not be able to respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you. However, making a verifiable request does not require you to create an account with us.

Additionally, you will need to describe your request with sufficient detail to allow us to review, understand, assess, and respond. We will not use the Personal Information we collect from an individual to determine a verifiable request for any other purpose, except as required or permitted by law.

Our response. We reserve the right to charge a fee to process or respond to your request if it is excessive, repetitive, or manifestly unfounded. If we determine that a request warrants a fee, we will attempt to notify you as to why we made that decision and provide a cost estimate before completing your request. We will endeavor to respond to a verifiable request within forty-five (45) calendar days of receipt, but we may require an extension of up to forty-five (45) additional calendar days to respond and we will notify you of the need for the extension.

Authorized Agent. You may authorize a natural person or a business (the Agent) to act on your behalf. When you submit a Request to Know, Correct, or Delete, the Agent must provide proof that you gave the Agent signed permission to submit the request, and you either must (i) verify you own identity with the business or (ii) directly confirm with us that you provide permission to the Agent. However, these steps are not required when you have provided the authorized agent with power of attorney pursuant to Probate Code sections 4000 to 4465. We reserve the right to deny requests from persons or businesses claiming to be authorized agents that do not submit sufficient proof of their authorization.

Spouses, Dependents, and Associates. If you have knowledge that the Company collected Personal Information related to your spouse, dependent, or associate, please share a copy of this notice with all such individuals.

Updates. We reserve the right to amend this notice.

If you have questions about the Company's privacy policies and procedures, please contact Marie Roman in Human Resources at 310-284-5534.