

Bank of America Corporation; Bank of America, National Association; Merrill Lynch, Pierce, Fenner & Smith Inc; BofA Securities, Inc; U. S. Trust Company of Delaware; Countrywide Home Loans Inc.; Merrill Lynch Life Agency Inc; Financial Data Services LLC; ReconTrust Company National Association; Specialized Lending LLC; Merrill Lynch Commodities Inc; Managed Account Advisors, LLC; Banc of America Public Capital Corp; Healthlogic Systems Corporation; Banc of America Preferred Funding Corporation

RECRUITMENT DATA PROTECTION NOTICE

I. INTRODUCTION

One or more of the entities set out above (being the legal entity/ies to which the applicant is applying), (the “Company”) has prepared this Recruitment Data Protection Notice (“Notice”) to outline its practices regarding the collection, use, storage, transfer and other processing of individually identifiable information collected from or about applicants (“Personal Data”). For the purposes of this Notice, “Applicant” means any individual who submits Personal Data or about whom Personal Data has been acquired in order to be considered for an actual or potential job vacancy or who attends or applies to attend a career event.

II. PERSONAL DATA COLLECTION AND PURPOSES OF USE

Good recruitment and talent management practices and the effective running of our business require the Company to collect, use, store, transfer and otherwise process certain Personal Data.

The Company collects Personal Data that is directly relevant to its business, required to meet its legal obligations, or otherwise permissible to collect under applicable laws. Listed in [Appendix A](#) of this Notice are the categories of Personal Data that we collect and the purposes for which we use the data that we collect except where restricted by applicable laws. We may receive Personal Data from you and from other sources, such as references, background check providers and public sources.

You are responsible for the content of the information you provide to us and you must ensure it is legal, honest, truthful, accurate and not misleading in any way. You must ensure that the information provided by you does not contain material that is obscene, blasphemous, defamatory, infringing on any rights of any third party, or otherwise legally actionable by such third party. You understand that, in the event that your application is successful, you may be subject to disciplinary action and possible dismissal if the statements contained in the application form and supporting documents prove to be untrue or inaccurate.

During and in connection with the recruitment and talent identification process and in order to be considered for actual and potential job vacancies, the Company may collect Personal Data directly from Applicants through the completion and submission of online application forms and profiles, through resumes or curricula vitae, or through interviews or other communications (both verbally and in writing) with Applicants. The Company may also collect Personal Data from other sources, including specialist third party providers of recruitment services and publicly available sources. Personal Data will be collected to the extent permitted by applicable laws and as appropriate for the actual or potential job vacancy or career event for which the Applicant is seeking to be considered.

Collection, use, processing, disclosure or international transfer of Personal Data may be by automated or manual means, including by hard-copy or soft-copy documents or other appropriate technology.

The Company does not sell Recruitment Personal Data to third parties.

III. DATA STORAGE AND ACCESS BY COMPANY PERSONNEL

The Company maintains an automated record of the Personal Data of the Applicant. The Company may also maintain hard-copy records on Applicants. The Company maintains these records in a secure environment including in the Company’s HR Information System, other Applicant tracking systems, and other Company case management systems (background screening, physical access, incident management, etc.). Personal Data may be stored in the Applicant’s home jurisdiction and/or in other jurisdictions in which the Company has operations.

Where permitted by applicable law, access to Personal Data is restricted to those individuals who need such access for the purposes listed in [Appendix A](#), including but not limited to members of the Human Resources Department and the managers involved in the recruitment process, and to authorized representatives of the Company’s internal control functions such as Compliance, Chief Administrative Office, Information Security, Background Screening Investigations,

Corporate Security, Audit and Legal. Access may also be granted, on a strict need-to-know basis, to others as permitted by law.

IV. DISCLOSURE

Given the global nature of the Company's activities, the Company may (subject to applicable law) and for the purposes described in this Notice transmit Personal Data to the affiliates belonging to the Bank of America Corporation group or operations located in other jurisdictions, where data protection laws may not provide an equivalent level of protection to the laws in the Applicant's home jurisdiction. A list of affiliates belonging to the Bank of America Corporation group is available upon request.

The Company may disclose in accordance with applicable law relevant Personal Data to certain third parties in connection with the provision of services to the Company. Where the processing of Personal Data is delegated to a third party data processor, such as those listed in [Appendix A](#), the Company will delegate such processing in writing, will choose a data processor that provides sufficient guarantees with respect to technical and organizational security measures, such as data protection and information security requirements, governing the relevant processing and will ensure that the processor acts on the Company's behalf and under the Company's instructions.

Personal Data also may be disclosed, where permitted by applicable law, in connection with a corporate restructuring, sale, or assignment of assets, merger, acquisition, divestiture, or other changes of the financial status of the Company or any of its subsidiary or affiliated companies. Personal Data also may be released to protect the legitimate interests of the Company (unless this would prejudice the rights and freedoms or interests of the Applicant), or in the Company's judgment to comply with applicable legal or regulatory obligations and regulatory inquiries or requests.

V. SECURITY

The Company maintains appropriate technical and organizational measures to protect against unauthorized or unlawful processing of Personal Data and/or against accidental loss, alteration, disclosure or access, or accidental or unlawful destruction of or damage to Personal Data.

VI. DATA PROCESSING AND RETENTION

The processing of Personal Data is carried out with the aid of manual and electronic tools.

The Company will maintain your Personal Data for as long as it is required to do so by applicable law(s) or for as long as necessary for the purpose(s) of use and processing in Section II, whichever is longer ("Initial Retention Period"). If your application is unsuccessful your Personal Data will be retained for an Initial Retention Period of four years.

Any maximum storage term set forth by applicable law will prevail. The Company will delete Personal Data after the applicable retention period.

If your application is successful, your application is retained as part of your personnel record.

VII. CHANGES TO THIS NOTICE

The most up-to-date Notice is posted to the Bank of America Careers Website.

Appendix A

The Categories of Personal Data We May Collect, Use, Transfer and Disclose where permitted by applicable law:

- **Recruitment/Applicant Information:** Employment history*; Employer name*; language(s) spoken*; Pre-employment references, I-9 documentation, previous compensation as allowable by applicable law, voice and video interview
- **Employment and Job Information:** Job title and/or position and description of responsibilities/duties*; job family, location; band/seniority; department; line and sub-line of business; local Company entity name; employment dates; supervisor/manager/team lead name and contact information; termination details
- **Personal Demographic Information:** Gender; date and place of birth; name* (including birth surname and any other former names)
- **Diversity and Inclusion:** Veteran status, race, ethnicity, sexual orientation, gender, gender identity, and gender expression
- **Visa/Citizenship Details:** Work eligibility status; entitlement to residency; nationality, citizenship; passport details; visa details; National ID; driver's license; social security number or other tax identifier number
- **Contact Details:** Address, telephone and email details*
- **Expenses:** Bank account details and credit/financial history
- **Applicant Administration:** Applicant tracking records and query management records*; voice recording and video recording; reference letters; query management records
- **Absence Data:** Absence details that relate to gaps in employment dates
- **Physical Security and Life Safety Data:** Swipe card entry data; security cameras; photograph (Security ID Card where applicable); accident and incident reporting; biometrics
- **Compensation:** Compensation information (including but not limited to base salary, market rates, incentive payment(s), equity-based compensation information and allowances), as allowable by applicable law, in addition to information obtained to determine eligibility for employee benefits
- **Education and Training:** Academic and educational record*, professional qualifications* and memberships; professional training*
- **Regulatory Data (where applicable):** Licenses and certifications*; financial or other regulatory registration*
- **Technical Information:** Including username, passwords, and IP addresses
- **Sensitive Personal Data:** Information regarding physical and/or mental health (if required to make reasonable adjustments in the recruitment process or engage in communications related to the disability accommodations process), criminal history or unlawful behaviour for recruitment and pre-employment screening purposes and for assessment of registration and licensing requirements*, biometric data, such as fingerprints and iris scans, for the purposes of electronic identification, authentication and corporate security; eye color, hair color, height, weight (to facilitate fingerprint background screening process), information relevant to a security threat, to protect against deceptive, fraudulent or illegal activity, or other incident investigation

* Personal Data marked with an asterisk in this Section is mandatory for Applicants to provide to the Company (unless otherwise indicated during the application process). It is voluntary for Applicants to provide other types of Personal Data about themselves. Some of the Personal Data listed above may be shared, collected, used, transferred and/or disclosed in line with country specific laws/regulations at the offer stage.

The Purposes For Which We May Collect, Use, Transfer and Disclose Personal Data:

- **Recruiting activities, talent management, succession planning, expense management and general administration** e.g., event management materials, keeping your application data on file, communication with Applicants about any actual or potential job vacancy or career event, conduct of interviews, consideration of eligibility for selection as candidate for employment, and offer approval
- **Authentication/identification of Applicants**
- **Human resources information systems ("HRIS") and application support and development**
- **Information technology and information security support** (including anti-spam and virus protection, and cyber security monitoring)
- **Diversity and inclusion data analysis** (anonymized and aggregated)
- **Management of internal business operations** (including internal business processes such as data analysis, monitoring, testing and audits)
- **Complying with applicable government reporting and other local and foreign law requirements** (including the requirements of the United States Sarbanes-Oxley Act or other applicable internal control regulations and in such areas as immigration, tax or statutory financial regulation) and other legal obligations

- **Defending, preparing for, participating in and responding to potential legal claims, investigations and regulatory inquiries** (all as allowed by applicable law)
- **Conducting background screening** (including verifying criminal history, employment, education, credit and litigation history, bankruptcy, directorships, sanctions, politically exposed persons, financial regulatory and media checks)
- **Physical identity access management**
- **Incident management** (including threat/fraud investigations, medical emergencies, and crisis reporting)

The Categories Of Unaffiliated Third Parties With Whom We May Share Personal Information:

- **Professional Advisors:** Accountants, auditors, lawyers, and other outside professional advisors in all of the countries in which the Company operates
- **Service Providers:** Companies that provide products and services to the Company in the countries in which the Company operates, such as human resources services and recruitment; expense management, relocation services, IT systems suppliers and support; reception and security, catering and logistics services providers, translation services, third parties assisting with event organizing and marketing activities, medical or health practitioners, background screening providers and other service providers
- **Public and Governmental Authorities:** Entities that regulate or have jurisdiction over the Company in the countries in which the Company operates, such as regulatory authorities, law enforcement, public bodies, licensing and registration bodies, judicial bodies and third parties appointed by such authorities
- **Parties Related to a Corporate Transaction:** A third party in connection with any proposed or actual reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of the Company's business, assets or stock (including in connection with any bankruptcy or similar proceedings), e.g., stock exchanges and business counterparties