

[APAC Entities](#)

RECRUITMENT DATA PROTECTION NOTICE

Effective: 1 October 2023

INTRODUCTION

One or more of the entities set out in [Appendix B](#) (being the legal entity/ies to which the applicant is applying) (the “Company”) has prepared this Recruitment Data Protection Notice (“Notice”) to outline their practices regarding the collection, use, storage, transfer and other processing of individually identifiable information collected from or about Applicants (“Personal Data”). “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.

In the event this Notice is provided to an Applicant in a language other than Chinese, any discrepancy, conflict or inconsistency between the two language versions shall be resolved in favour of the Chinese version (subject to applicable law).

[Chinese Version](#)

[English Version](#)

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 law. 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 law. We receive Personal Data from you and from other sources, such as referees, background check providers and public sources.

We collect and process Personal Data about you depending on the circumstances: (i) because we are required or permitted to do so by applicable law, (ii) because such information is necessary for the performance of your future contract of employment if successful at recruitment stage or in order to take steps at your request prior to entering into that contract, (iii) because such information is of particular importance to us and we have a specific legitimate interest under applicable law to process it, (iv) where public interest requires it, (v) where the Personal Data is necessary for the establishment, exercise or defence of legal claims, (vi) where necessary to protect the vital interests of you or another person, or (vii) where necessary, we obtain consent from applicants for collection and processing of Personal Data.

If you do not provide certain categories of Personal Data, the Company may not be able to accomplish some of the purposes outlined in this Notice and the issue may need to be escalated to Human Resources to deal with as appropriate.

The Company does not use the Personal Data of any Applicant for direct or indirect marketing purposes, except where the Company obtains the Applicant’s explicit consent to do so, and provides the Applicant with the subsequent right to object at any time and at no charge to the use of Personal Data for direct or indirect marketing purposes.

Sensitive personal data

The Company may collect and process certain special or other significant categories of Personal Data (“Sensitive Personal Data”) about Applicants where required by applicable law, where necessary for the establishment, exercise

or defence of legal claims, or, where necessary, the Applicant has provided explicit (and, where applicable, written or separate) consent. Subject to applicable law, the Company may process information about:

- physical and/or mental health for the purposes of addressing potential workplace health, safety and accommodation issues and assessing absence data during the recruitment process
- criminal charges/convictions or unlawful behaviour for recruitment and pre-employment screening purposes and for the assessment of registration and licensing requirements
- Data related to sexual orientation, race and/or ethnic origin, gender, gender identity and gender expression, physical and/or mental health for purposes of reporting on diversity and inclusion statistics, complying with government reporting requirements, and/or other legal obligations
- biometric data, such as fingerprints and iris scans, for the purposes of electronic identification, authentication and corporate security, at secured Company premises

We process Sensitive Personal Data in your jurisdiction if and to the extent permitted or required by applicable law. We will seek to protect such information using strict security measures as further described below such that your sensitive personal information should only be processed in accordance with the applicable laws. For further information on the purposes of using the above data, please also reference [Appendix A](#).

PERSONAL DATA ABOUT OTHER INDIVIDUALS

If an Applicant provides the Company with Personal Data about other individuals (e.g., individuals listed by Applicants as referees), it is the Applicant's responsibility to inform such individuals of their rights (see Sections: "Access, Portability, Rectification and Suppression, Limitation and Restriction of Processing and Accuracy of Personal Data" and "Modalities of the Processing and Data Retention") and to obtain their explicit (and, where applicable, written or separate) consent, where necessary, to the processing (including transfer) of that Personal Data as set out in this Notice.

MEANS OF COLLECTION AND USE

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, career or professional social networking sites, and publicly available sources. Personal information will be collected to the extent permitted by applicable law 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 transfer of Personal Data may be by automated or manual means, including by hard-copy or soft-copy documents or other appropriate technology.

COOKIES

Non-essential and essential cookies are collected on some websites and mobile applications that the company uses. Please refer to the following [policy](#).

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 and other applicant tracking systems. 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, 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, Corporate Security, Audit and Legal. Access may also be granted, on a strict need-to-know basis, to others where permitted by applicable law.

DISCLOSURE

To the extent permitted by applicable law and as appropriate to achieve the purposes described in this Notice, Personal Data may be disclosed by the Company as follows:

- Given the global nature of the Company's activities, the Company may (subject to applicable law) transmit Personal Data, including Sensitive Personal Data, to other Bank of America affiliates or operations located in other jurisdictions, including the United States or other jurisdictions where data protection laws may not provide an equivalent level of protection to the applicable law 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, 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.

SECURITY

The Company maintains appropriate technical and organizational measures designed 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.

ACCESS, PORTABILITY, RECTIFICATION AND SUPPRESSION, LIMITATION AND RESTRICTION OF PROCESSING AND ACCURACY OF PERSONAL DATA

Applicants are entitled to access Personal Data held about them (with the exception of any documents that are subject to legal privilege, that provide Personal Data about other unrelated individuals, or that otherwise are not subject to data subject access rights). Any Applicant who wishes to access their Personal Data or (where permitted under applicable law) request portability of their data should contact a member of the Global Talent Acquisition group using the contact information set out in Section: "Questions" below.

To the extent required by applicable law, Applicants have the right to have inaccurate data corrected or removed (at no charge to the Applicant and at any time) or to limit or restrict processing of their data.

To assist the Company in maintaining accurate Personal Data, Applicants must ensure they keep their Personal Data up to date on the Company's online recruitment system or by informing the Global Talent Acquisition group via: internationaltalentacquisitionoperations@bofa.com. In the event that the Company becomes aware of any inaccuracy in the Personal Data it has recorded, it will correct that inaccuracy at the earliest practical opportunity.

To the extent available under applicable law, Applicants may also have the following rights (including but not limited to):

- to request a copy of Personal Data held by the Company (as part of an access request above);
- to request further information or complain about the Company's practices and processes regarding their Personal Data;
- to object to, withdraw consent to restrict or request discontinuance of collection, use, disclosure and other processing of their Personal Data as described in this Notice and to request deletion of such Personal Data by the Company.

For all enquiries, Applicants should contact a member of the Global Talent Acquisition group using the contact information set out in Section: "Questions" below. Under applicable law, in certain circumstances, the Company may

be exempt from or entitled to refuse the above requests or rights. Certain additional terms and conditions may be applicable to process requests or rights, such as requiring communications to be in writing or requiring proof of identity.

MODALITIES OF THE PROCESSING AND DATA RETENTION

The Company does not use automated decision making on Applicant processes. ‘Automated decision-making’ is the process of making a decision by automated means without any human involvement.

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, or for as long as necessary for the purpose(s) of use and processing in Section: “Personal Data Collection and Purposes of Use”, whichever is longer (“Initial Retention Period”). With the exception of the countries listed below, if your application is unsuccessful your Personal Data will be retained for an Initial Retention Period of 6 months.

In addition, the Company will, with your consent, retain your Personal Data after the expiry of the Initial Retention Period in its talent management database so that it may contact you with details of suitable positions that arise and which may be of interest to you. If you do not wish the Company to retain your Personal Data in its talent management database after the expiry of the Initial Retention Period, you may request that your Personal Data be deleted. You may make this request at any time, but your request will not be actioned until the Initial Retention Period has expired. With the exception of the countries listed below, if your application is unsuccessful, unless you do not consent to your Personal Data being retained by the Company in its talent management database, or you subsequently request that your Personal Data be deleted, your Personal Data will be retained for a total of 2 years after the date of last recorded contact with you.

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

No countries listed.

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

OTHER RIGHTS AND CONSEQUENCES

To ensure good recruitment and talent management practices and the effective running of the Company’s business, it is mandatory for the Company to collect, use, store, transfer and otherwise process the Personal Data marked with an asterisk in [Appendix A](#) (unless otherwise indicated during the application process). It is voluntary for Applicants to provide other types of Personal Data and information about themselves.

To the extent available under applicable law, Applicants have the right to object to the collection, use, storage, transfer or other processing of Personal Data as described in this Notice; the right to withdraw consent to or request discontinuance of collection, use, storage, transfer or other processing of Personal Data as described in this Notice, and the right to request deletion of such Personal Data. However, objections to the collection, use, storage, transfer or other processing of Personal Data, withdrawals of consent, requests for discontinuance and requests for deletion may affect the Company’s ability to consider an Applicant for an actual or potential job vacancy or career event and to process a related application for employment to the extent that the purposes set out in this Notice cannot be achieved.

Any Applicant who wishes to object to the collection, use, storage, transfer or other processing of Personal Data as described in this Notice; to withdraw consent; to request discontinuance or to request deletion, should contact a member of the Global Talent Acquisition group using the contact information set out in Section: “Questions” below.

Under applicable law, in certain circumstances, the Company may be exempt from, or entitled to, refuse the above requests or rights. Certain additional terms and conditions may be applicable to process requests or rights, such as requiring communications to be in writing or requiring proof of identity.

QUESTIONS

Should any Applicant have any questions, concerns or complaints about this Notice, please contact a member of the Global Talent Acquisition group via: internationaltalentacquisitionoperations@bankofamerica.com

The Company will make every effort to resolve any questions, concerns or complaints promptly and in accordance with applicable law.

You may have the right to lodge a complaint with the Data Protection Authority in your country. In certain countries, if you have additional queries about the way in which the Company processes your Personal Data more broadly) you may contact your local Data Protection Officer using the following contact details:

For APAC countries: connect.dpo@bofa.com

CHANGES TO THIS NOTICE

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

JURISDICTION-SPECIFIC CLAUSES

China:

(“China”, which, as a jurisdiction for the purpose of this Notice, excludes the jurisdictions of Hong Kong Special Administrative Region, the Macau Special Administrative Region and Taiwan).

Please see [Appendix C](#) for a list of the organizations to whom we transfer Personal Data as data controllers in China (which can independently determine processing purposes and processing methods in Personal Data processing activities) and other receiving parties outside of China, and their respective contact details and details on what, how and why such organizations process your Personal Data and, where required, how you can exercise your data privacy rights in respect of those organizations. If you want to exercise your rights related to the protection of Personal Data to the overseas recipients, you can submit your requests through the contact information provided in the “Questions” section of this Notice. After we transfer your Personal Data outside of China, the data controller outside of China may also provide some of your exported Personal Data to our affiliated entities or third-party service providers that are entrusted to provide relevant services such as recruiting activities, talent management and succession planning, or allow them to access the personal information within the necessity of providing such services.

Where required or permitted by applicable law, we may process Sensitive Personal Data for employment purposes in a manner that reasonably considers and mitigates, where practicable, negative impacts to your rights and interests.

You recognize that you are required to review this Notice at the commencement of your employment, and at regular intervals, and that you must fully comply with its terms and other related data protection policies on an ongoing basis. Failure to comply with data protection obligations may result in disciplinary action by the Company and regulatory action including fines or prohibitions against holding a supervisory, directorship, or senior management position.

I have read the "Recruitment Data Protection Notice" dated 1st October 2023. I expressly and voluntarily consent to the application of its terms regarding the collection, processing, use, and international transfer of my Personal Data (and Sensitive Personal Data) by the Company whilst acknowledging that data protection laws in other jurisdictions to which my Personal Data (and Sensitive Personal Data) is being transferred to may not provide the equivalent level of protection to the laws of my home jurisdiction during and in connection with the course of my application.

I confirm that prior to providing any Personal Data of other individuals to the Company (if applicable), I have duly provided them with all information regarding the processing of their Personal Data and their related rights as described in the Notice, and that I have obtained the explicit (and, where applicable, written or separate) consent of those individuals, where necessary, to the processing of their Personal Data.

By clicking Submit on the Application, you have consented to this Notice.

Appendix A

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

- **Recruitment/Applicant information:** Employment history*; Employer name*; language(s) spoken*; previous compensation*; Pre-employment references, voice and video recording
- **Employment and Job Information:** Job title and/or position and description of responsibilities/duties*; location; band/seniority; department; line and sub-line of business; local company entity name; employment dates; supervisor/manager/team lead name and contact information
- **Personal Demographic Information:** Gender; date and place of birth; name (including birth surname and any other former names)*; family/marital status
- **Diversity and Inclusion:** gender, gender identity, gender expression, socio-economic background
- **Visa/ Citizenship Details:** Work eligibility status; entitlement to residency*; nationality, citizenship; passport details; visa details; National ID, social insurance number or other tax identifier number
- **Contact Details:** Address, telephone, email details* and emergency contact details
- **Expenses:** Bank account details
- **Applicant Administration:** Applicant tracking records and query management records*; voice recording and video recording; Reference letters; query management records
- **Absence Data:** Absence details e.g. sickness
- **Attendance Data:** Working Time Directive Details
- **Physical Security and Life Safety Data:** Swipe card entry data; CCTV; photograph (Security ID Card where applicable); accident and incident reporting; Biometrics; data required for purposes related to Health and Safety in the workplace.
- **Compensation:** Compensation information (including base salary, market rates, incentive payment(s), stock options information and allowances)
- **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 device-related information such as IP addresses
- **Sensitive Personal Data:** Information regarding physical and/or mental health* (if required to make reasonable adjustments in the Recruitment Process), sexual orientation, race and/or ethnic origin, criminal charges/convictions 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, at secured Company premises

* 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 and information 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 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, offer approval and Corporate Alumni program for previous employees.
- **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** (certain Diversity & Inclusion Data is used on a personally identifiable basis, for talent management, succession planning, and training and conference opportunities. Diversity & Inclusion Data, and other Personal Data, is used on an aggregated basis for reporting and promotions)
- **Management of internal business operations** (internal business processes such as data analysis, monitoring, testing and audits)

- **Complying with applicable government reporting and other applicable and foreign law requirements** (including the requirements of the US 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)
- **To promote the safe and healthy working conditions of Company facilities**

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

- **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, and other service providers. Where appropriate, the Company will offer and receive reasonable assistance from third parties (such as service providers) in order to respond to data subject access requests
- **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

Appendix B

Country/Region	Legal Entity
China	BA ELECTRONIC DATA PROCESSING (GUANGZHOU) LTD.
	BANK OF AMERICA, NATIONAL ASSOCIATION - BEIJING BRANCH
	BANK OF AMERICA, NATIONAL ASSOCIATION - GUANGZHOU BRANCH
	BANK OF AMERICA, NATIONAL ASSOCIATION - SHANGHAI BRANCH
	MERRILL LYNCH INTERNATIONAL, LLC - BEIJING OFFICE
	MERRILL LYNCH INTERNATIONAL, LLC - SHANGHAI OFFICE
Hong Kong	BANK OF AMERICA SECURITIES ASIA LIMITED
	BANK OF AMERICA, N.A. - HONG KONG BRANCH
	MERRILL LYNCH (ASIA PACIFIC) LIMITED
India	BANK OF AMERICA SECURITIES INDIA LIMITED
	BANK OF AMERICA NATIONAL ASSOCIATION - INDIA
	BA CONTINUUM INDIA PRIVATE LIMITED
Indonesia	BANK OF AMERICA, N.A – CABANG JAKARTA
	PT MERRILL LYNCH SEKURITAS INDONESIA
Japan	BANK OF AMERICA, NATIONAL ASSOCIATION - TOKYO BRANCH
	BANK OF AMERICA SECURITIES JAPAN CO. LIMITED
South Korea	BANK OF AMERICA, NATIONAL ASSOCIATION - 서울지점
	MERRILL LYNCH INTERNATIONAL, LLC – 서울 지점
Malaysia	BANK OF AMERICA MALAYSIA BERHAD
	PERSATUAN KEBANGSAAN, BANK OF AMERICA - CAWANGAN LABUAN
	MERRILL LYNCH MALAYSIAN ADVISORY SDN. BHD.
Philippines	BANK OF AMERICA, NATIONAL ASSOCIATION - MANILA BRANCH
Singapore	BANK OF AMERICA, N.A. - SINGAPORE BRANCH
	MERRILL LYNCH (SINGAPORE) PTE. LTD.
	MERRILL LYNCH GLOBAL SERVICES PTE. LTD.
	MERRILL LYNCH MARKETS SINGAPORE PTE. LTD.
Taiwan	BANK OF AMERICA, NATIONAL ASSOCIATION - 台北分行
	MERRILL LYNCH SECURITIES (TAIWAN) LTD.
Thailand	BANK OF AMERICA, N.A. - BANGKOK BRANCH; MERRILL LYNCH SECURITIES (THAILAND) LIMITED

Appendix C

Organizations To Which We May Disclose Personal Data

Details on Rights are included in Section titled “ACCESS, PORTABILITY, RECTIFICATION AND SUPPRESSION, LIMITATION AND RESTRICTION OF PROCESSING AND ACCURACY OF PERSONAL DATA” of the Notice

Overseas Recipient			
Name	Contact Information	Processing Purpose and Method	Category of Personal Data
Bank of America Corporation	internationaltalentacquisitionoperations@bankofamerica.com	<p>Recruitment management in the Bank of America Corporation group</p> <p>Bank of America Corporation may receive, store, process, and delete the data of China employees in accordance with this Notice to the extent necessary for recruitment management, and will not use the data for other purposes not stated within this Notice</p>	<ul style="list-style-type: none">• Name (Legal Name, Preferred Name)• Date of Birth (Date of Birth, Country, Region, City of Birth)• Diversity Data (Gender, Race/Ethnicity, Marital Status)• Online Authentication Information (Login ID, User ID)• Personal Contact data (Personal Email Address, Personal Phone Number, Personal Home Address)• Bank Account (Bank Name, Bank Branch, Bank Account)• National ID (National ID Country, National ID Type, Identification Number, Issued Date, Expiration Date)• Visa (Visa Country, Visa ID Type, Identification Number, Issued Date, Expiration Date)• Passport (Passport Country, Passport ID Type, Identification Number, Issued Date, Expiration Date)• Nationality and Citizenship Data (Nationality, Citizenship Status)• Licensing & Professional Certifications (Country, Certification Name, Certification Number, Issue Date, Expiry Date)• Work History (Work History Job Title, Company, Start Date, End Date, Responsibilities and Achievements, Location, Reference, Contact Information)• Education (Education Country, School, Degree Name, Year of Degree, Field of Study, Year Start, Year End, Grade Average)

[亚太区实体](#)

招聘数据保护通知

生效日期：2023 年 10 月 1 日

导言

[附录 B](#) 中所列的一个或多个实体（即申请人向其申请工作的法律实体，下称“本公司”）准备了本招聘数据保护通知（下称“通知”），用于概述它们关于收集、使用、存储、传送及其他处理收集自申请人或有关申请人的个人可识别信息（下称“个人数据”）的实践。“申请人”指提交个人数据的任何人士，或为考虑实际或潜在岗位空缺或参加或申请参加职业活动而提交个人数据的任何人士。

若本通知以中文以外的其他语言提供给申请人，那么两种语言版本之间的任何差异、冲突或不一致应以支持中文版本的方式予以解决（除非适用法律另有规定）。

[中文版本](#)

[英文版本](#)

个人数据收集和使用目的

良好的招聘和人才管理惯例以及业务的有效运转需要本公司收集、使用、存储、转移以及以其他方式处理特定的个人数据。

本公司收集同其业务直接相关的、履行其法律义务所需或适用法律另作规定允许收集的个人数据。本通知[附录 A](#) 中所列是我们收集的个人数据的类别以及我们使用所收集的数据的目的（适用法律限制的除外）。我们从您和其他来源收取个人数据，例如推荐人、背景调查提供者和公共来源。

我们会视以下情况收集和处理关于您的个人数据：(i) 因为适用法律要求或允许我们这样做，(ii) 如果成功通过招聘阶段，为了履行您的未来劳动合同或者为了在签订该合同之前应您的要求采取措施需要有关信息，(iii) 因为有关信息对于我们尤为重要，且我们依据适用法律拥有明确的合法权益来处理这些信息，(iv) 符合公共利益需要，(v) 确立、行使或辩护法律主张需要个人数据，(vi) 保护您或他人的切身利益需要，或者(vii) 在必要时，我们已取得申请人的同意以收集和处理个人数据。

如果您不提供某些类别的个人数据，本公司可能无法实现本通知中列明的某些目的，且该问题可能需要上报至人力资源部适当处理。

本公司不得出于直接或间接的营销目的使用任何申请人的个人数据，本公司取得申请人明确许可，并授予申请人后续权利在任何时间、不需任何费用反对出于直接或间接营销目的使用个人数据的情况除外。

敏感的个人数据

在下列情况下，本公司可收集和处理有关申请人的某些特殊或其他重要类别的个人数据（简称为“敏感的个人数据”）：适用法律要求；确立、行使或辩护法律主张需要；或者在必要时，申请人已明确（以及在适用的情

况下以书面形式或单独) 同意。根据适用法律, 本公司可能会处理有关以下方面的信息:

- 用于解决潜在的工作场所健康、安全和住宿问题，以及在招聘过程中评估缺勤数据的身体和/或心理健康信息
- 用于进行招聘和聘前筛查，以及评估注册和许可要求的刑事指控/定罪或非法行为信息
- 用于报告多样性和包容性统计数据、符合政府报送要求和/或履行其他法律义务的性取向、种族和/或种族本源、性别、性别认同和性别表达、身体和/或心理健康数据
- 生物识别数据，如在安全的本公司场所进行指纹和虹膜扫描，并用于电子身份识别、验证和公司安全

如果适用法律允许或要求，我们则在适用法律允许或要求的范围内在您的司法管辖区内处理敏感数据。我们会尝试使用以下进一步说明的严格安全措施保护该等信息，使您的敏感个人信息仅能根据适用法律处理。

关于使用上述数据之目的的更多信息，另请参考[附录A](#)。

有关其他人士的个人数据

如果某位申请人向公司提供关于其他人士（例如申请人将其列为推荐人的人士）的个人数据，申请人应负责向该等人士告知其权利（参见条款：“个人数据的访问、可移植性、纠正和抑制、处理限制和约束以及准确性”以及“处理形式和数据保存”）且在必要的情况下获得他们明确（以及在适用的情况下以书面形式或单独）同意，以按照本通知所述处理（包括转移）该等个人数据。

收集和使用的方法

在招聘和人才鉴别过程中和与之有关的活动中，以及为了能成为实际和潜在岗位空缺的考虑人选，本公司可能通过填写和提交在线申请表和资料，通过个人简历或简历，或通过面试和与申请人的其他沟通方式（口头和书面），直接向申请人收集个人数据。本公司也可能从其他来源收集个人数据，包括招聘服务的专业第三方提供商、招聘或职业社交网络网站以及公开可用的资料来源。将在适用法律允许和适当情况下，为申请人正寻求的实际或潜在岗位空缺或正在考虑的职业活动收集个人数据。

个人数据的收集、使用、处理、披露或转移可能以自动或手动方式进行，其中包括通过纸质或电子文件或其他适当技术进行。

COOKIES

会在本公司使用的某些网站和移动应用程序上收集非必要cookies和必要cookies。请参考以下[政策](#)。

数据存储和本公司员工访问

本公司保留申请人个人数据的自动记录。本公司还可能保留申请人的纸质记录。本公司在包括本公司人力资源信息系统和其他申请人跟踪系统在内的安全环境中维护这些记录。个人数据可能存储在申请人的原属司法管辖区和/或本公司经营业务所在的其他司法管辖区。

在适用法律允许的情况下，个人数据访问仅限于为实现[附录A](#)中所列目的而需要此类访问的个人，包括但不限于人力资源部门的员工，参与招聘流程的经理，以及本公司内部控制职能部门（如合规、总行政办公室、信息安全部、公司安全部、审计部和法律部）的授权代表。在适用法律允许的情况下，访问权也可基于严格的需知规定授予他人。

披露

在适用法律允许的范围内以及为适当实现本通知中所述的目的，本公司可能在下列情况下披露个人数据：

- 鉴于本公司活动的全球性，本公司可（根据适用法律）将个人数据（包括敏感的个人数据）传输至其

他司法管辖区内的其他美国银行关联企业或营业地，包括美国或数据保护法律提供的法律保护程度可能不同于申请人原属司法管辖区适用法律保护程度的其他司法管辖区。可按要求提供隶属美国银行有限公司集团的关联企业列表。

- 本公司可依据适用法律，向为本公司提供服务的特定第三方披露相关个人数据。若委托第三方数据处理器处理个人数据，比如[附录A](#)中所列的数据处理器，本公司将以书面形式对有关处理进行委托，选择就管理相关处理的技术和组织安全措施（比如数据保护和信息安全要求）提供足够保证的数据处理器，并确保该处理器代表本公司行事并遵从本公司指示。

- 在适用法律允许的情况下，出于本公司或其任何子公司或关联企业公司重组、出售或资产转让、合并、撤资或其他财务状况变更的有关事宜，也可予以披露个人数据。出于保护本公司合法利益（此行为会侵害申请人权利和自由或利益时除外）的目的，或依本公司判断为遵守适用法律或法规义务和监管的调查或要求，可发布个人数据。

安全性

本公司维持适当的技术和组织措施，以防止未经授权或非法处理个人数据，和/或防止个人数据意外丢失、篡改、披露或访问、意外或非法销毁或破坏。

个人数据的访问、可移植性、纠正和抑制、处理限制和约束以及准确性

申请人有权访问本银行持有的有关其本人的个人数据（享有法定保密特权的文件、提供其他无关人员的个人数据的文件或其他不属于数据当事人访问权限的文件除外）。任一申请人若想访问其本人的个人数据或（适用法律允许的情况下）请求移植其数据，应联系全球人才招聘团队，联系信息见下述“问题”条款。

在适用法律要求的范围内，申请人有权更正或删除不准确的数据（任何时候均可，不向申请人收取任何费用）或者限制或约束其数据的处理。

为协助本公司维持准确的个人数据，申请人必须确保其在本公司网上招聘系统上的个人数据是最新数据，或通过以下方式通知全球人才招聘团队：internationaltalentacquisitionoperations@bofa.com。若本公司发现其记录的个人数据有任何不准确之处，将于实际可行的最早时间内进行更正。

在适用法律允许的范围内，申请人也可以享有以下权利（包括但不限于）：

- 索取本公司持有的个人数据副本（作为上述访问要求的一部分）；
- 要求取得与本公司就其个人数据采取的惯例和流程有关的进一步信息或就此类惯例和流程请求投诉；
- 反对、撤销同意、限制或要求中止本通知中所述的其个人数据的收集、使用、披露以及其他处理，以及要求本公司删除有关个人数据。

对于所有问询，申请人应使用以下“问题”条款所述的联系信息，联系全球人才招聘团队的成员。根据适用法律，在若干情况下，本公司可免除或有权拒绝上述要求或权利。某些其他条款和条件可能适用于处理要求或权利，比如要求以书面方式通讯或要求提供身份证明。

处理形式和数据保留

本公司对申请人流程不采取自动化决策。“自动化决策”是在没有人干预的情况下通过自动化的方法进行决策的流程。

个人数据的处理在手动和电子工具的辅助下进行。

本公司将按照适用法律要求的保留期限，或条款“个人数据收集和使用目的”中所述的使用和处理目的所需的期限保留您的个人数据，以两个期限中较长者为准（“初始保留期”）。除以下所列国家/地区外，如果您的申请未成功，您的个人数据将保留六个月的初始保留期限。

此外，本公司将在征得您的同意后，在初始保留期限届满后将您的个人数据保留在其人才管理数据库中，以便与您联系并提供您可能感兴趣的合适职位的详细信息。如果您不希望本公司在初始保留期限届满后将您的个人数据保留在人才管理数据库中，您可以请求删除您的个人数据。您可以随时提出此请求，但是在初始保留期限

届满之前，您的请求将不会被执行。除以下所列国家/地区外，如果您的申请未成功，除非您不同意本公司将您的个人数据保留在人才管理数据库中，或者您随后要求删除您的个人数据，否则您的个人数据将自与您联系的最后记录之日起总共保留 2 年。

保留期限将以适用法律规定的最长存储期限为准。本公司将在适用保留期限结束后删除个人数据。

未列出国家/地区。

如果您申请成功，您的申请将作为您人事记录的一部分予以保留。

其他权利和后果

为确保良好的招聘和人才管理实践及本公司业务的有效运转，本公司必须收集、使用、存储、转移及以其他方式处理[附录A](#)中标有星号的个人数据（除非申请过程中另有说明）。申请人可自愿提供与他们有关的其他类型的个人数据和信息。

在适用法律允许的范围内，申请人有权拒绝按本通知所述收集、使用、存储、转移或以其他方式处理个人数据；有权撤销同意或请求停止按本通知所述收集、使用、存储、转移或以其他方式处理个人数据，并有权请求删除此类个人数据。但是，拒绝收集、使用、存储、转移或以其他方式处理个人数据，撤销同意，请求停止及请求删除可能影响本公司为实际或潜在岗位空缺或职业活动考虑申请人的能力，并且无法实现在本通知所述目的的范围内处理相关求职申请。

想要拒绝按本通知所述收集、使用、存储、转移或以其他方式处理个人数据；撤销同意；请求停止或请求删除的任何申请人应使用以下“问题”条款中所述的联系信息，联系全球人才招聘团队的成员。

根据适用法律，在若干情况下，本公司可免除或有权拒绝上述要求或权利。某些其他条款和条件可能适用于处理要求或权利，比如要求以书面方式通讯或要求提供身份证明。

问题

如果任何申请人有关于本通知的任何问题、疑虑或投诉，请联系全球人才招聘团队的成员：
internationaltalentacquisitionoperations@bankofamerica.com

本公司将会依据适用法律竭尽所能解决任何问题、疑虑或投诉。

您有权向您所在国家/地区的数据保护机构提出投诉。

在某些国家，如果您对本公司更广泛地处理您个人数据的方式有其他疑问，请使用以下联系方式与您的当地数据保护官联系：

对于亚太地区国家，请联系：connect.dpo@bofa.com

本通知的变更

最新公告会发布在美国银行招聘网站。

司法管辖区特定条款

中国：

（“中国”，作为一个司法管辖区在本通知中使用时，不包括香港特别行政区、澳门特别行政区和台湾司法管辖区）。

请查看[附录C](#)列明的我们在中国以数据控制人身份向其转移个人数据的组织清单（我们可以在个人数据处理活动中独立地决定处理目的和处理方法）以及中国境外的其他接收方，以及它们各自的联系详情、关于该等组织处理您的个人数据的内容、方式和原因详情，以及在需要时您可以针对这些组织行使您的数据隐私权利的方式。如果您希望向境外接收方行使与个人数据保护相关的权利，可以通过本通知“问题”条款中所述的联系信息提出申请。在我们将您的个人数据传输到中国境外后，中国境外的数据控制者也可能将您部分出境个人数据提供给我们的关联方或受委托提供招聘活动、人才管理和继任计划等相关服务的第三方服务提供商，或允许上述主

体在提供此类服务的必要范围内访问个人数据。

在适用法律要求或允许的情况下，我们可以(在适用的情况下)以合理考虑并减轻对您的权利和利益造成负面影响的方式处理以雇佣为目的处理敏感数据。

您确认，您需要在雇佣开始时以及定期审阅本通知，而且您必须持续地完全遵守其条款和其他相关数据保护政策。未能遵守数据保护义务可能导致公司采取纪律处罚和监管措施，包括罚款或禁止担任监事、董事或高级管理层职务。

我已阅读日期为 2023 年10 月1 日的“招聘数据保护通知”。本人明确并自愿同意应用关于公司在本人申请期间收集、处理、使用和跨国传输本人的个人数据（以及敏感的个人数据）的条款，同时确认本人的个人数据（包括敏感个人数据）跨国传输目的地的司法管辖区采用的数据保护法律提供的法律保护程度可能不同于本人原属司法管辖区提供的法律保护程度。

本人确认在向公司提供其他人士的任何个人数据（如适用）前，本人已向该等人士妥善提供有关本通知所述个人数据处理及其相关权利的所有信息，并且本人已取得(如需要)该等人士就处理其个人数据的明示同意（且在适用的情况下以书面形式作出或单独作出）。

点击申请上的“提交”，即表明您已同意本通知。

附录 A

我们可能收集、使用、传输和披露的个人数据的类别，除非受适用法律限制：

- **招聘/申请人信息：**工作经历*；雇主名称*；使用的语言*；之前的薪酬*；入职前推荐信；录音或录像
- **聘用和工作信息：**职衔和/或职位以及责任/职责*的描述；地点；级别/资历；部门；业务线和子业务线；当地公司实体名称；就业日期；主管/经理/团队领导姓名及联系信息
- **个人人口统计信息：**性别；出生日期和出生地；姓名（包括出生姓氏和任何其他曾用名）*；家庭/婚姻状况
- **多元化与包容性：**性别、性别认同、性别表达，社会经济背景
- **签证/公民身份详情：**工作资格状态；居住权*；国籍；公民身份；护照详情；签证详情；身份证号码、社会保险号或其他纳税识别号
- **联系详情：**地址、电话、电子邮件详情*和紧急联系方式
- **支出：**银行账户详情
- **申请人管理：**申请人跟进记录和查询管理记录*；录音和录像；推荐信；查询管理记录
- **缺勤数据：**缺勤详情，例如生病
- **考勤数据：**工作时间指令详情
- **人身安全和生命安全数据：**刷卡入口数据；闭路电视；照片（安全身份证，如适用）；事件和事故报告；生物识别数据；工作场所健康和安全管理所需的数据。
- **薪酬：**薪酬信息（包括基本工资、市场费率、激励报酬、股票期权信息和津贴）
- **教育和培训：**学业成绩和教育记录*、专业资格*和会员资格；专业培训*
- **监管数据（如适用）：**许可证和认证*；金融或其他监管注册*
- **技术信息：**包括用户名、密码和设备相关信息，例如 IP 地址
- **敏感的个人数据：**有关身体和/或心理健康*（如果需要在招聘过程中进行合理调整）、性取向、种族和/或民族本源、用于招聘和聘前筛查目的以及评估注册和许可要求的刑事指控/定罪或非法行为信息、生物识别数据（如在安全的本公司场所进行指纹和虹膜扫描，并用于电子身份识别、验证和公司安全）

*本条款中带星号的个人数据是申请人必须向本公司提供的数据（除非申请过程中另有说明）。申请人可自愿提供与他们有关的其他类型的个人数据和信息。以上所列的部分个人数据，可能会在录用阶段，按照国家/地区的特定法律/法规，予以分享、收集、使用、传输及/或披露。

我们可能收集、使用、传输和披露个人数据的目的是：

- **招聘活动、人才管理、继任计划、费用管理和一般行政管理，**例如活动管理材料、将您的申请数据保存在档案中、与申请人沟通任何实际或潜在的职位空缺或职业活动、进行面谈、聘用候选人的资格审议、要约批准以及供以前员工参与的公司校友计划。
- **申请人的身份验证/身份证明**
- **人力资源信息系统（“HRIS”）和应用程序支持与开发**
- **信息技术和信息安全支持**（包括反垃圾邮件和病毒防护以及网络安全监控）
- **多样性和包容性数据分析**（某些多样性和包容性数据是在可识别个人身份的基础上用于人才管理、继任规划以及培训和会议机会。多样性和包容性数据以及其他个人数据在汇总后用于报告和晋升）
- **内部经营活动的管理**（内部业务流程，如数据分析、监控、测试和审计）

- **遵守适用的政府报送以及其他适用和外国法律要求**（包括美国《萨班斯-奥克斯利法案》或其他适用的内部控制法规的要求以及移民、税务或法定金融监管等领域的要求）以及其他法定义务
- **辩护、准备、参加和回应潜在法律主张、调查和监管质询**（所有都在适用法律允许的情况下）
- **促进本公司设施的安全和健康的工作条件**

我们可能与其分享个人数据的非关联第三方的类别：

- **专业顾问：**会计师、审计师、律师，及本公司经营业务所在的所有国家/地区的其他外部专业顾问
- **服务提供商：**在本公司经营业务所在的国家/地区为本公司提供产品和服务的公司，例如人力资源服务和招聘；费用管理、搬迁服务、IT系统供应商和支持；接待和安保、餐饮和物流服务提供商、翻译服务、协助组织举办营销活动的第三方、医疗或卫生执业者及其他服务提供商。在适当的情况下，公司将提供和接受合理的第三方（例如服务提供商）协助，以回应数据主体的访问请求
- **公共和政府机构：**在本公司经营业务所在的国家/地区监管本公司或对本公司拥有司法管辖权的实体，比如监管机构、执法机构、公共机构、许可和注册机构、司法机构以及上述机构指定的第三方
- **与公司交易有关的各方：**与任何提议或实际重组、合并、出售、合资、分配、转让或对全部或部分本公司业务、资产或股票（包括与任何破产或类似诉讼有关）进行其他处置有关的第三方，例如证券交易所和商业交易对手

附录 B

国家/地区	法律实体
中国	美银电子资料处理（广州）有限公司
	美国银行有限公司北京分行
	美国银行有限公司广州分行
	美国银行有限公司上海分行
	美林国际有限责任公司-北京办事处
	美林国际有限责任公司-上海办事处
香港	美国银行证券亚洲有限公司
	美国银行- 香港分行
	MERRILL LYNCH (ASIA PACIFIC) LIMITED
印度	BANK OF AMERICA SECURITIES INDIA LIMITED
	美国银行有限公司 - 印度
	BA CONTINUUM INDIA PRIVATE LIMITED
印度尼西亚	美国银行有限公司 - CABANG JAKARTA
	PT Merrill Lynch Sekuritas Indonesia
日本	美国银行有限公司东京分行
	美国银行证券日本有限公司
韩国	美国银行有限公司-首尔分行
	美林国际有限责任公司-首尔分行
马来西亚	美国银行马来西亚有限公司
	PERSATUAN KEBANGSAAN, BANK OF AMERICA - CAWANGAN LABUAN
	MERRILL LYNCH MALAYSIAN ADVISORY SDN. BHD.
菲律宾	美国银行有限公司 - 马尼拉分行
新加坡	美国银行有限公司 - 新加坡分行
	MERRILL LYNCH (SINGAPORE) PTE. LTD.
	MERRILL LYNCH GLOBAL SERVICES PTE. LTD.
	MERRILL LYNCH MARKETS SINGAPORE PTE. LTD.
中国台湾	美国银行有限公司 - 台北分行
	MERRILL LYNCH SECURITIES (TAIWAN) LTD.
泰国	美国银行有限公司 - 曼谷分行 ;
	MERRILL LYNCH SECURITIES (THAILAND) LIMITED

附录 c

我们可能向其披露个人数据的组织

关于权利的详情包含在通知中标题为“个人数据的访问、可移植性、纠正和抑制、处理限制和约束以及准确性”的部分中。

境外接收方			
名称	联系信息	处理目的和方法	个人信息类型
Bank of America Corporation	internationaltalentacquisitionoperations@bankofamerica.com	<p>用于 Bank of America Corporation集团招聘管理</p> <p>Bank of America Corporation集团可能会依据本通知在招聘管理所必需的范围内接收、存储、处理和删除中国员工的数据，并且不会将这些数据用于本通知未列明的其他目的。</p>	<ul style="list-style-type: none">• 姓名（合法姓名、常用名）• 生日（生日、出生地国家、地区、城市）• 多样性数据（性别、种族/民族、婚姻状况）• 在线认证信息（登录账号、用户账号）• 个人联系数据（个人电子邮箱、个人电话号码、个人家庭住址）• 银行账户（银行名称、支行名称、银行账户号码）• 身份证件（身份证件签发国家、身份证件类型、可识别号码、签发时间、到期日）• 签证（签证国家、签证类型、可识别号码、签发时间、到期日）• 护照（护照签发国家、护照类型、可识别号码、签发时间、到期日）• 国籍与公民身份数据（国籍、公民身份）• 执照与职业证书（发放国家、证书名称、证书编号、发放日期、到期日期）• 工作经历（工作经历职位、公司名称、开始日期、结束日期、职责与成就、地点、推荐人、联系信息）• 教育经历（教育经历所在国家、学校、学历名称、获取学历年份、专业、开始年份、结束年份、平均绩点）