

Kuehne + Nagel Inc. (“KN” or “Company”) is strongly committed to protecting the privacy of those who entrust the Company with their personal information during the course of both its business and internal practices. As we hold this trust in highest regard, KN will only collect, use, or share personal data in compliance with all applicable laws and under strict ethical standards. This Policy Statement sets out the privacy principles the Company follows with regard to transfers of personal information from EU and Swiss residents to third parties, in compliance with the current U.S.-EU and U.S.-Swiss Safe Harbor agreements.

### SAFE HARBOR PROGRAM

The Safe Harbor framework sets out data protection principles that enable U.S. companies to conform to privacy obligations under European or Swiss laws that regulate the protection of personal information transferred to third parties. Consistent with its commitment to protect personal privacy, KN therefore adheres to the principles set forth in the U.S.-EU Safe Harbor and the U.S.-Swiss Safe Harbor (“Safe Harbor Principles”) administered by the U.S. Department of Commerce and available for review at [www.export.gov/safeharbor](http://www.export.gov/safeharbor) .

### SCOPE

This Safe Harbor Privacy Policy applies to all personal employee data and information received by KN from its EU or Swiss affiliates in any format. This internal policy will be communicated to KN employees in the United States, will be administered by KN’s Human Resources department, and will be made available on KN’s intranet site.

### DEFINITIONS

**Personal Information** includes data that identifies or could be used to identify an individual, as well as that individual’s contact details and Sensitive Personal Information. Personal information does not include publicly available data.

**Data Subject** is the natural person who is identified or identifiable and whose personal information is processed. Processing shall mean storing, alteration, transfer, blocking and deleting of data.

The **Data Exporter** means the controller who transfers the personal data.

The **Data Importer** is the processor who agrees to receive from the data exporter personal data intended for processing on his behalf after the transfer in accordance with his instructions and the terms of the Clauses and who is not subject to a third country's system ensuring adequate protection within the meaning of Article 25(1) of Directive 95/46/EC; EN L 39/10 Official Journal of the European Union 12.2.2010

A **Sub-Processor** is any processor engaged by the data importer or by any other sub-processor of the data importer who agrees to receive from the data importer or from any other sub-processor of the data importer personal data exclusively intended for processing activities to be carried out on behalf of the data exporter after the transfer in accordance with his instructions, the terms of the Clauses and the terms of the written subcontract

**Technical and Organizational Security Measures** means those measures aimed at protecting personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorized disclosure or access, in particular where the processing involves the transmission of data over a network, and against all other unlawful forms of processing.

**Sensitive Personal Information** means personal information as to race, ethnicity, political views, religious beliefs, trade union membership, personal activities, sex life, social security benefits, or information on criminal or administrative proceedings other than in the context of pending proceedings.

### **SAFE HARBOR PRIVACY PRINCIPLES**

**NOTICE:** KN collects, uses, and shares, personal employment information for limited and general employment purposes. When this information is shared with Sub-Processors for reasons outside the ordinary course of its legitimate business, KN will inform the individual as to the purposes for which the data is used and collected, the non-agent Sub-Processors to which such information is disclosed, and the choices and means available to individuals for limiting the use and disclosure of this information. Additionally, Sensitive Personal Information will not be shared if prior authorization has not been secured from the Data Subject, unless such sharing is

related to i) the vital interest of a person, ii) legal requirements or circumstances, iii) medical care.

Where KN receives Personal Information from any European or Swiss affiliate, it will only use and disclose such data in accordance with the notices provided by such entities and the choices made by the interested individuals.

With respect to its Onward Transfer obligations, KN will transfer personal data only to those third parties who are members of the Safe Harbor program or have agreed to comply with Safe Harbor principles.

**CHOICE:** Individuals will have the opportunity to choose whether Personal Information may be disclosed to a non-agent Sub-Processors for a purpose other than the reasonable and legitimate one for which it was originally obtained. Personal Information shared as part of Company's reasonable and legitimate business does not qualify for the opt-out procedure. Sensitive Personal information will only be shared if the individual employee has provided written consent.

**DATA INTEGRITY AND SECURITY:** Through its Human Resources ("HR") and Information Technology ("IT") departments, KN takes reasonable measures, both physical and electronic, to protect personal data from or unauthorized access or use. Personal Data is maintained in secure electronic and manual files. Subject to its Document Retention Policy, KN retains said data only as long as required by law. Employees authorized to access sensitive files are required to follow the present policy.

**ACCESS AND CORRECTION:** KN will grant individuals reasonable access to their personal information, and will allow individuals to correct inaccurate or incomplete information where necessary.

**SECURITY:** KN will take reasonable precautions through Technical and Organizational Security Measures to protect personal information from loss, misuse, disclosure, alteration, and destruction.

**ENFORCEMENT:** Periodically, KN will audit its relevant privacy practices to verify successful adherence to this Policy. Employee violations may result in disciplinary action.

**DISPUTE RESOLUTION:** Initial questions or comments from employees in the EU, EEC, or Switzerland regarding the implementation of this Policy must be directed to KN's Human Resources office at the address given below. KN will investigate complaints and disputes regarding violations of this Policy. With respect to complaints that cannot be resolved satisfactorily by its HR department, KN has agreed to submit such matters to the relevant EU Data Protection Authority or Swiss Federal Data Protection and Information Commissioner.

**LIMITATION ON APPLICATION OF PRINCIPLES:** Adherence to this Policy may be limited (a) to the extent required to respond to a legal or ethical obligation; (b) to the extent necessary to meet national security, public interest or law enforcement obligations; (c) to the extent expressly permitted by an applicable law, rule or regulation; and (d) to the extent required to conduct ordinary KN operations.

#### CONTACT INFORMATION

Questions or comments regarding this Policy should be submitted to the KN's HR Department by e-mail to: [chris.buhl@kuehne-nagel.com](mailto:chris.buhl@kuehne-nagel.com)