

## **BIOMETRIC INFORMATION PRIVACY POLICY FOR EMPLOYEES AND CONTRACT WORKERS IN HOME CHEF FACILITIES**

To accurately and securely track the time and/or hours worked by individuals at certain facilities in the state of Illinois operated by Relish Labs LLC d/b/a Home Chef (“Home Chef”), Home Chef uses a timeclock system (the “Timeclock”) provided by Kronos Incorporated (“Kronos”). Under some interpretations of the Illinois Biometric Information Privacy Act (“BIPA”), the Timeclock may capture, collect, utilize, and/or store employees’ and/or contract workers’ “biometric identifiers” and/or “biometric information,” as those terms are defined by BIPA. Based on information provided by Kronos, Home Chef does not believe that the Timeclock captures biometric information or biometric identifiers under BIPA. Nonetheless, in keeping with Home Chef’s commitment to workers’ privacy rights, and out of an abundance of caution, Home Chef has adopted the following policy to ensure that its use of the Timeclock and the information collected by the Timeclock complies with the requirements of BIPA.

**Definitions of “Biometric Identifiers” and “Biometric Information”:** BIPA defines a “biometric identifier” as a “retina or iris scan, fingerprint, voiceprint, or scan of hand or face geometry.” 740 ILCS 14/10. BIPA defines “biometric information” as “any information, regardless of how it is captured, converted, stored, or shared, based on an individual’s biometric identifier used to identify an individual. Biometric information does not include information derived from items or procedures excluded under the definition of biometric identifiers.” 740 ILCS 14/10.

**Capture and/or Collection of “Biometric Identifiers” and/or “Biometric Information”:** The Timeclock and other time and attendance systems that Home Chef may use in the future may collect, capture, or store biometric identifiers and/or biometric information of Home Chef employees and/or contract workers under BIPA. This may occur, for example, when individuals scan their fingertips during Timeclock punches, because such finger scans may constitute a fingerprint under BIPA.

**Storage, Protection, and Retention Schedule:** Home Chef does not retain or store fingerprints or images from the above-mentioned finger scans. Instead, the Timeclock creates an encrypted mathematical representation produced from unique ridge patterns in each person’s finger. This mathematical representation consists only of a string of characters (i.e., the finger scan template). The finger scans and mathematical representations of the finger scans are stored and protected by Home Chef using the reasonable standard of care within its industry and in a manner that is the same as or more protective than the manner in which it stores and protects other confidential and sensitive information. Home Chef will permanently delete such data when the initial purpose for collecting or obtaining such data has been satisfied or within three years of an individual’s last interaction with Home Chef, whichever occurs first. Home Chef will also notify Kronos, the provider of the Timeclock, to delete such data under these circumstances.

**Disclosure of Biometric Information:** Home Chef will not sell, lease, trade, or otherwise profit from any individual’s biometric identifiers or biometric information that are collected or captured in the course of its operations. Home Chef has not and will not authorize Kronos to sell, lease,

trade, disclose, or otherwise profit from any such biometric information or biometric identifiers. Home Chef will not disclose, redisclose, or otherwise disseminate an individual's biometric identifiers or biometric information to any entity (nor does it authorize Kronos to disclose, redisclose, or disseminate such data) unless:

- The individual or the individual's legally authorized representative provides consent to such disclosure, redisclosure, or dissemination;
- The disclosure completes a financial transaction requested or authorized by the individual or the individual's legally authorized representative;
- The disclosure is required by state or federal law, or municipal ordinance; or
- The disclosure is required pursuant to a valid warrant or subpoena issued by a court of competent jurisdiction.

**Consent to Collection of Biometric Data:** As a condition of their employment or work in a Home Chef facility, all employees and contract workers must agree that Home Chef may, through its time and attendance systems, including the Timeclock, collect, store, and use the employee's or contract worker's biometric information and biometric identifiers for the purposes of tracking hours worked and attendance. Such biometric information and biometric identifiers may be collected and stored by Home Chef, including its affiliates, and by Home Chef's timekeeping systems and vendors, including Kronos, for the purpose of authenticating Timeclock punches and time worked.

The process of collection and storage of information that may be considered biometric information or biometric identifiers may involve a third-party vendor, such as Kronos, that administers the time and attendance system and related software. Employees and/or contract workers agree that Home Chef may disclose biometric information and biometric identifiers captured or collected in connection with time and attendance systems, including the Timeclock, to the supplier of the time and attendance system (including Kronos) and to vendors in connection with troubleshooting, operation, and servicing of the time and attendance system, including the Kronos Timeclock.

**BIOMETRIC INFORMATION RELEASE AND CONSENT TO COLLECTION OF  
BIOMETRIC INFORMATION**

In order to accurately and securely track the time and/or hours you work, Relish Labs LLC d/b/a Home Chef (“Home Chef”) has engaged a timeclock company (Kronos Incorporated) to provide and administer a timekeeping system. Currently, this timekeeping system is a timeclock terminal with a finger sensor (the “Timeclock”) that scans your finger when you clock-in or clock-out of work. Under some interpretations of the law, the information and finger scans collected by the Timeclock may constitute “biometric identifiers” or “biometric information” as those terms are defined in the Illinois Biometric Information Privacy Act (“BIPA”). To ensure that Home Chef’s use of the Timeclock and any timekeeping system later adopted is in compliance with BIPA, Home Chef is providing this disclosure that biometric information and biometric identifiers are being collected for purposes of time and attendance tracking. You are asked to agree, as a condition of your employment, that Home Chef may capture, collect, utilize, and/or store your “biometric identifiers” and/or “biometric information,” as BIPA defines those terms, through your use of the Timeclock or other timekeeping systems later adopted.

Home Chef will permanently delete any “biometric identifiers” and/or “biometric information” in its possession as a result of your use of the Timeclock or another timekeeping system when the initial purpose for collecting or obtaining such data has been satisfied or within three years of your last interaction with it, whichever occurs first. If a third-party vendor such as Kronos is in possession of your biometric information or biometric information in connection with your use of the Timeclock or another timekeeping system, Home Chef will direct the vendor to delete such information under the same circumstances. Generally, deletion of such data by Home Chef will occur and the vendor will be directed to perform such deletion within one hundred twenty (120) days from the date of any transfer to a position that does not require you to use the timekeeping system (if applicable) or within one hundred twenty (120) days of your termination.

By signing below, you:

- 1) confirm you have received a copy of Home Chef’s Biometric Information Privacy Policy, read it, and understand its contents; and
- 2) as a condition of your employment and/or continued employment, you expressly consent and agree that Home Chef and the supplier or servicer of any timeclock system used by Home Chef (including Kronos Incorporated) may capture, collect, utilize, store, disclose, redisclose, and/or otherwise disseminate your “biometric identifiers” and/or “biometric information” for the purposes of tracking the time and hours you work.

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Employee Signature

Date

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Employee Name (print)