

EMPLOYEE/APPLICANT PRIVACY NOTICE

Effective Date: January 1, 2020

Last Updated: January 1, 2023

The Privacy Notice describes how Landry's, Inc, its subsidiaries, and its affiliated entities (including but not limited to various hotel, casino and restaurant brands forming the Landry's organization), ("Landry's", "we", and "us") process personal information in connection with applications to work for Landry's or, once offered employment, personal information collected in the course of employment as part of our team (as used herein "you", "your", and "employee" refers to applicants and/or employees). Please read it carefully. You may download a copy of this Privacy Notice by clicking [here](#).

Categories of Personal Information We Process

We collect the following categories and types of personal information about you with your consent or as otherwise required or permitted by law. Where provided by you, we may also collect this information about your dependents/beneficiaries.

- **Contact Information.** We collect full name, email address, current and prior address, and telephone number. We may also collect this information for your emergency contacts and references.
- **Identifiers.** We collect social security number, driver's license number, employee number signature, passport number, state identification card number, I-9 documentation, IP address, social media user names, and account username and password.
- **Personal Characteristics or Traits.** As required by law or as necessary for employment and/or benefits purposes we collect date of birth, gender, age, nationality, racial or ethnic origin, religion, marital status, citizenship status, sexual orientation, military or veteran status, disability information, genetic information, or pregnancy and related information, if you provide this information as part of your application, during onboarding, or while working for us.
- **Financial Information.** We collect financial or bank account information.
- **Audio/Visual Data.** We collect audio, electronic, photographic, visual or similar data including videos, photographs, or audio recordings.
- **Geolocation Data.** If you use your personal device to access our timeclock systems or access Microsoft applications, we may collect information such as your GPS coordinates and location.
- **Internet or Electronic Usage Data.** In some circumstances, such as when you access Microsoft applications such as Office or Outlook on your personal device, we may collect your IP address and website activity. When you sign-in, log-in or otherwise access Company electronic equipment, such as, but not limited to, time clocks, scheduling applications, company software programs, etc. we collect information on such usage (time accessed, applications used, etc.).
- **Professional or Employment Information.** We collect job application details, previous work history, salary wage expectation, reference or background checks, drug test results, professional memberships, personnel number, job title role, office location, company entity, compensation and bonus data, benefits data, dependency information, emergency contact information, time tracking, absence and annual leave, travel booking details, expense details, performance rating, records of disciplinary action, health and safety related information, workers compensation claims, grievances and complaints, employee surveys, exit interview and comments, and reasons for termination.

- **Non-public Education Information.** We collect education history, degrees, transcripts, training, qualifications and certifications.
- **Health Insurance Information.** We collect health insurance information such as your policy number and spouse or dependent information, if applicable.
- **Medical Information.** To the extent permitted and required by applicable laws, we may collect information about your medical and treatment history, diagnosis, dates of service, provider name, and your ability to work. Additionally, we may collect information about physical screenings or drug test results, if your application or position required such screenings or testing or we are otherwise required to conduct that screening or testing.
- **Sensitive Personal Information.** We may collect social security number, driver's license number, passport number, state identification card number, racial or ethnic origin, religious or philosophical beliefs, or union membership, generic information, biometric information, health information, and sexual orientation.
- **Inferences:** We use information from the categories of personal information described above in order to create a profile about you, to reflect your preferences, characters, behavior and attitude. We also use such information to evidence employment, pay wages, offer benefits, to take other action as may be required in the course of your employment and/or by law.

Sources Of Personal Information

We collect information in a variety of ways:

- **Directly from you.** We collect contact information, identifiers, personal characteristics or traits, financial information, audio/visual data, professional or employment information, non-public education information, health insurance information, medical information, and sensitive personal information that you provide directly to us.
- **When you visit our locations.** We collect audio/visual data from security cameras at our facilities. Upon notice, we may use photos and/or audio/visual data, for marketing purposes (e.g. photos of the location to post on social media and/or other marketing purposes).
- **Automatically.** When you access our timeclocks or work applications and platforms on our equipment and/or your personal devices, we may collect identifiers, geolocation data, and internet or electronic usage data.
- **From third parties:** We may collect contact information, identifiers, financial information, personal characteristics or traits, audio/visual data, inferences, non-public education information, health insurance information, medical information, sensitive personal information, inferences, and professional or employment information from third-parties including recruiters, LinkedIn, vendors, service providers and your references.
- **From other employees or job applicants.** We may collect contact information, identifiers, financial information, personal characteristics or traits, non-public education information, health insurance information, medical information, sensitive personal information, and professional or employment information from our current or former job applicants, contractors and employees.

Purposes for Collecting Personal Information

We use your personal information for the following purposes:

- **Recruiting and Hiring.** We use contact information, identifiers, audio/visual data, professional or employment information, non-public education information, financial information, sensitive personal information, and inferences make informed decisions on recruitment and assess your suitability for the

role, communicate with you about your application, respond to your inquiries and schedule interviews, and to reimburse you for any agreed expenses incurred in the application process.

- **Background Checks.** We may require our applicants, and in certain circumstances our employees, to complete a background check to verify your identity, check for criminal history, check your credit worthiness, check your driving record, and confirm the validity of your application. We use identifiers, personal characteristics or traits, professional or employment information, non-public education information, and sensitive information to enable the completion of the background check.
- **Onboarding.** We use various information depending on the position, but may include contact information, identifiers, personal characteristics or traits, audio/visual data, professional or employment information, non-public education information, medical information, and sensitive personal information to complete new hire paperwork, enroll you in our human resource management system, collate company directories and provide communication services, provide you access to our offices and IT systems and set up your personnel file.
- **Benefits.** We use contact information, identifiers, personal characteristics or traits, audio/visual data, professional or employment information, non-public education information, medical information, health insurance information and sensitive personal information to create benefits packages and provide and administer employee benefits.
- **Payroll.** We use contact information, identifiers, financial information, geolocation data, sensitive personal information, and, in some instances, biometric information to track your time and attendance and absences and to pay you and reimburse you for professional expenses.
- **Leave and Accommodation Requests.** We use contact information, identifiers, personal characteristics or traits, professional or employment information, health insurance information, medical information, and sensitive personal information to evaluate and process time off, sick leave, leaves of absence, or accommodation requests, if you make such requests.
- **Performance and Talent Management.** We use contact information, identifiers, professional or employment information, non-public education information, and inferences for performance and talent management, succession planning, training and leadership development, disciplinary and grievance procedures, awards/recognition, employee surveys, and to support your career development.
- **Business Operations.** We may use some or all of the following information: contact information, identifiers, financial information, personal characteristics or traits, geolocation data, biometric information, internet or electronic usage data, audio/visual data, inferences, non-public education information, health insurance information, medical information, sensitive personal information, inferences, and professional or employment information for guiding our recruiting, hiring, and onboarding efforts, maintaining records, planning, budgeting, calibration, headcount, database administration, diversity metrics, surveys, evaluations, reports, legal claims, compliance, regulatory, audit, investigative and disciplinary purposes (including disclosure of such information in connection with legal process or litigation) and other ethics and compliance reporting tools, and support our business operations.
- **Analytical Purposes.** We use identifiers, personal characteristics or traits, professional or employment information, non-public education information, sensitive personal information, and inferences to analyze trends and statistics, including analyzing and monitoring the equality, diversity and inclusivity of our workforce (as permitted by law). We may do so in order to better understand our workforce, to prevent discrimination in the workplace and/or to respond to allegations or claims.
- **Maintenance and Improvement of our Systems.** We use identifiers, geolocation data, internet or electronic usage data to improve our systems, provide and maintain functionality on our systems, and help us diagnose technical and service problems and administer our systems. Maintenance of our systems includes activities such as applying security controls for company systems, providing new system

implementations, applying change management processes, and providing IT Service Desk / Help Desk Support.

- **Security and Fraud Prevention.** We use contact information, identifiers, financial information, personal characteristics or traits, geolocation data, biometric information, internet or electronic usage data, audio/visual data, inferences, non-public education information, health insurance information, medical information, sensitive personal information, inferences, and professional or employment information to: (i) protect our Sites, premises, assets, systems, products, services and intellectual property; (ii) protect us, our affiliated companies, our employees, our carriers and others from fraud, theft and other misconduct; (iii) enforce our policies; and (iv) detect and prevent fraud, theft and misconduct including by verifying the identity of those we are conducting business with.
- **Legal:** We use contact information, identifiers, financial information, personal characteristics or traits, geolocation data, biometric information, internet or electronic usage data, audio/visual data, inferences, non-public education information, health insurance information, medical information, sensitive personal information, inferences, and professional or employment information to comply with our legal obligations, including reporting requirements, and defend ourselves in legal proceedings, and protect our company and our property, employees, and others through legal proceedings.
- **Other Purposes:** We may use contact information, identifiers, financial information, personal characteristics or traits, geolocation data, biometric information, internet or electronic usage data, audio/visual data, inferences, non-public education information, health insurance information, medical information, sensitive personal information, inferences, and professional or employment information for other reasons we may describe to you.

How We Share Personal Information

We share personal information in the following circumstances or as otherwise described in this Privacy Notice:

- **Service Providers.** We may share personal information and business contact information with vendors and service providers who support the operation of our services, website, and our business and who need access to such information to carry out their work for us (including, for example, cloud hosting, payment processing, order fulfillment, email delivery, marketing, insurance, operating systems and platforms, transportation, customer support services, providing access to benefits, and processing payment of wages,). In some cases, such as third party websites for application submittal, payment processors, benefit providers, and scheduling applications, the vendor or service provider may directly collect the information from you on our behalf.
- **Customers.** You may share your business contact information or we may share business contact information of employees with our customers as needed in order to facilitate things such as customer service issues, contracting for banquets or otherwise act as their service provider or vendor.
- **Affiliates.** We share personal information with and among our parent company, subsidiaries, affiliates, or their successors or assigns. Landry's and your actual employer (the entity that owns or operates the restaurant/hotel/business at which you work), and each affiliates within the Landry's organization, share personal information in order to assist with your employment such as, but not limited to, ensuring payment of wages, providing benefits, assisting with employment issues, and managing legal issues.
- **Professional Advisors.** We may share information with professional advisors, such as lawyers, bankers, tax consultants, auditors, and insurers, where necessary in the course of the professional services that they render to us.
- **Government Entities.** We share information with regulatory and government entities including government, administrative, law enforcement and regulatory agencies; tax authorities; and other public

agencies or authorities if we think we should in order to comply with any applicable law, regulation, legal process or other legal obligation. This includes cooperating with law enforcement when we think it is appropriate, obtaining legal remedies or limiting our damages, and to enforcing or protecting our contracts, legal rights or the rights of others, including by responding to claims asserted against us.

- **Corporate Transaction Recipients.** We may share information with potential investors, purchasers, merger partners, and their advisors in the event we: (i) sell or transfer, or are considering selling or transferring, all or a portion of our business or assets; or (ii) are considering or engaging in any reorganization, conversion, merger, sale, joint venture, assignment, transfer or disposition of all or any portion of our ownership interest, business or operations; or (iii) are soliciting or accepting investments.
- **With Your Consent or At Your Direction.** We may share information with third parties whenever you consent to or direct such sharing.
- **Other Reasons.** We may share information for other reasons we may describe to you.

We Combine Information

We combine information we obtain from different sources with publicly available information and use the information to create inferences about you in order to evaluate you as an applicant for a position and to assist you with your employment. For example, we may combine information that we have collected offline with information we collect online. We combine information that we have collected across other third party sites. We combine information across devices, such as computers and mobile devices. We may also combine information we get from a third party with information we already have. We will use the combined information as set forth in this Notice, including to create inferences about you.

Sensitive Personal Information

Unless specifically requested, we ask that you not send us, and you not disclose to us, through the Services or otherwise, any Sensitive Personal Information (e.g., social security number, taxpayer identification number, passport number, driver's license number, or other government-issued identification number; credit or debit card details or financial account number, with or without any code or password that would permit access to the account, credit history; or information on race, religion, ethnicity, sex life or practices or sexual orientation, medical or health information, genetic or biometric information, biometric templates, political or philosophical beliefs, political party or trade union membership, background check information, judicial data such as criminal records, or information on other judicial or administrative proceedings).

Information You Provide to Third Parties

During your employment with us, you may choose to provide our third-party vendors with characteristics about you that can be used to establish your identity. For example, if you use the Microsoft Authenticator to log-into our systems and select facial recognition as your method of authentication, Microsoft may collect your faceprint. We do not receive a copy of your faceprint. Your provision of biometric information to third-parties for authentication purposes is governed by their respective privacy policies.

How Long We Keep Personal Information

We will retain and use your information for as long as we need it to provide you services or products, or as long as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. If you wish to request that we no longer use your information to provide you services or products, please contact us at epprivacy@ldry.com.

We use the following criteria to determine retention periods:

- how long the information is needed to provide our services and operate our business;
- whether there are contractual or legal obligations that exist that require us to retain the information for period of time;
- whether any law, statute, or regulation allows for a specific retention period;
- whether an individual has agreed to a longer retention period;
- whether the data is considered to be sensitive data, and
- what the expectation for retention was at the time the data was provided to us.

Security

We follow generally accepted industry standards to protect the personal information submitted to us and have implemented reasonable technical, organization, administrative and physical measures to protect personal information. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, we cannot guarantee its absolute security and encourage you to use websites and share information (electronically or otherwise) with caution.

Processing in the United States and Canada

Please be aware that information we obtain about you will be processed in the United States and, for applicants and employees in Canada, across Canada, by or service providers or us. By using the Sites or our services, you acknowledge your personal information may be transferred to and processed in jurisdictions outside your own as described in this Privacy Notice. Please be aware that the data protection laws and regulations that apply to your personal information transferred to the United States, Canada or other jurisdictions may be different from the laws in your country of residence. The United States may not afford the same level of protection as laws in your own country.

California Privacy Rights/Notice to California Residents

This section applies to our privacy practices as required under the California Consumer Privacy Act, including as amended by the California Privacy Rights Act (together, the “CCPA”).

Categories, Sources, and Uses of Personal Information We Collect. In the preceding 12 months, we have collected the following categories of personal information: contact information, identifiers, financial information, personal characteristics or traits, geolocation data, internet or electronic usage data, audio/visual data, non-public education information, health insurance information, medical information, sensitive personal information, professional or employment information, and inferences. For details about precise data points we collect, the categories of sources of such collection, and the business and commercial purposes for collecting personal information, please see the sections above titled [Categories of Personal Information We Collect](#), [Sources of Personal Information](#), and [Purposes for Collecting Personal Information](#).

Use or Disclosure of Sensitive Personal Information. In the preceding 12 months, we have not used or disclosed sensitive personal information for purposes to which the right to limit use and disclosure applies under the CCPA.

Sale or Sharing of Personal Information. In the preceding 12 months, we have not “sold” or “shared” (as those terms are defined in the CCPA) any personal information that we process in connection with your application for employment or employment with us. We do not knowingly sell or share the personal information of minors under the age of 16.

Disclosure for a Business Purpose. In the preceding 12 months, we have disclosed the following categories of personal information to the following categories of third party recipients:

<i>Category of Personal Information</i>	<i>Categories of Recipients</i>
Contact Information	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms • Government Entities
Identifiers	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms • Government Entities
Financial information	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms
Personal Characteristics or Traits	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms • Government Entities
Geolocation Data	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms • Government Entities
Biometric Information	<ul style="list-style-type: none"> • Service Providers • Professional Advisors • Operating Systems and Platforms
Internet or Electronic Usage Data	<ul style="list-style-type: none"> • Service Providers • Affiliates • Operating Systems and Platforms • Government Entities
Professional or Employment Information	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms • Government Entities
Audio/Visual Data	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms

Non-public Education Information	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms
Health Insurance Information	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms • Government Entities
Medical Information	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms • Government Entities
Sensitive Personal Information	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms • Government Entities
Inferences	<ul style="list-style-type: none"> • Service Providers • Affiliates • Professional Advisors • Operating Systems and Platforms

For a more expansive description of the categories of recipients and business purposes for which we share personal information, please see the [How We Share Personal Information](#) section above.

Your Rights Under the CCPA. Subject to certain exceptions and limitations, the CCPA affords California consumers (including employees) the following rights:

- You have the right to request that we tell you (i) what personal information we have collected about you, (ii) the sources of that information, (iii) the business or commercial purposes for collecting, selling or sharing the personal information; and (iv) the categories of third-parties to whom we have disclosed personal information.
- You have the right to request that we provide you with a copy of your personal information.
- You have the right to request that we delete personal information that we have collected from you. We may not delete all of your personal information if one of the exceptions to the CCPA applies.
- You have the right to opt-out of the sale or sharing of your personal information.
- You have the right to direct us to limit the use or disclosure of your sensitive personal information to only the purposes specified in the CCPA.
- You have the right to correct inaccurate personal information that we hold about you.

- You have the right to opt out of automated decision-making, including profiling, that we use to evaluate certain qualifications as part of the recruitment process.
- You have the right to not be discriminated against for exercising any of your CCPA rights. We will not discriminate against you, deny you benefits/services, charge you a different price, or provide you with a lesser quality of services if you exercise any of your CCPA rights.

Exercising Your Rights. To exercise any of your rights, please use our webform available at [Click here for English](#) version, or [Click here for Spanish](#) version, email us at eeprivacy@ldry.com, or call us toll free at 833-732-0036. For all requests, you must provide us with your name, email address, phone number, and mailing address. We will verify your identity by matching the information we have collected against the information you have provided. Failure to provide the foregoing information may prevent us from processing your request.

If you have requested that we correct your personal information, we may contact you to request additional information about the personal information that you believe is inaccurate, including supporting documentation.

In order to designate an authorized agent to act on your behalf, you must send a signed, written authorization to us at eeprivacy@ldry.com. If you are a parent or legal guardian, you may also exercise rights on behalf of your minor or the individual over whom you are guardian.

If you choose to use the [Global Privacy Control](#) (“GPC”) browser signal, you will only be opted out of online sales or sharing of personal information, and will need to turn it on for each browser you use. Disabling all cookies will also only opt you out of online selling or sharing relating to cookies. To submit a request to opt out of sales and sharing which would not otherwise be controlled by GPC or cookies, please use our webform or call us at the contact information above.

Notice of Financial Incentive. We do not offer a financial incentive for the collection, retention, sale, or sharing of personal information.

Metrics. We are not subject to the requirement to compile and report metrics regarding our responses to consumer/employee requests during the prior calendar year.

Contact Us

If you have any questions about this Privacy Notice, please email us at eeprivacy@ldry.com. You can also call us toll-free at 833-732-0036 or write to us at:

Landry’s Attention: Data Privacy Officer
1510 West Loop South
Houston, TX 77027

Updates to This Privacy Notice

This Privacy Notice is reviewed and updated annually to ensure that it accurately captures our practices and procedures. We will notify you of any material changes to this Privacy Notice as required by law. The “Last Updated” legend above indicates when this Privacy Notice was last revised. Any revised Privacy Notice will become effective immediately upon posting to any website, internal location, or other distribution.