



## **Skyworks' HR Data Protection and Privacy Policy (APAC)**

Skyworks Solutions, Inc. and its affiliates (“Skyworks”) value the personal data of their applicants and employees. Skyworks prohibits employees from accessing others’ personal data without authorization, and requires employees to protect personal data and handle it consistently with this Data Protection and Privacy Policy (“Privacy Policy”). This Privacy Policy applies to Skyworks applicants and employees who work or reside in Asia and to any Skyworks entity that receives or processes their personal data.<sup>1</sup>

For the purposes of this policy, “Company” refers to the Skyworks entity that the applicant applies to or which employs the employee.

### **What Personal Data Is Collected**

The applicant or employee provides much of the personal data we hold, but some data may come from other internal sources, such as his or her manager, or in some cases, external sources, such as a compensation and benefits provider. Examples of the types of personal data that we may collect, use, process, or disclose to third parties include:

- identification data such as name, address, e-mail address, phone number (work/private), and Skyworks employee ID number;
- information concerning prior employers and functions;
- information the individual communicated to the employer, including in a CV and application;
- personal characteristics, such as age, gender, date of birth, place of birth, marital status, nationality and ethnicity;
- identification data delivered by the authorities, such as an identity card number, passport number, driving license number, pension number, work permit details and vehicle license plate number;
- data concerning professional experience (including any person of reference whom the individual allowed us to contact, and the information received from these persons) and education, as well as language knowledge;
- history of professional career within Skyworks, including information on other jobs that the individual applied for internally;

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<sup>1</sup> National or local laws or practices may justify jurisdiction-specific practices in addition to this Privacy Policy. Local policies of Skyworks companies in Asia may also limit or extend the categories of personal data processed by the relevant Skyworks entity, as well as the purposes for which it uses such personal data.

- composition of the family (such as name of the spouse or partner, number of children, identity number or date of birth of family members) and name and contact details of the persons to contact in case of emergency;
- financial identification data such as the bank account number, remuneration, bonuses, other advantages granted by the employer, payments executed by the employer, and information related to meal vouchers or other benefits;
- data related to health (i) to satisfy obligations with respect to labor and health laws, such as health and security obligations on the workplace, or accidents at work, (ii) for which the individual has granted consent; or (iii) to help the Company respond to pandemics or other public health emergencies;
- medical certificates relating to work disability or leave;
- the photograph of the employee if he or she has given one to the employer (for example, to be uploaded onto the intranet or for the purpose of creating an employee badge);
- data concerning the use of e-mail, internet and social media, the Company's intranet and other electronic resources and property, badges, as well as data concerning track and trace;
- feedback from other employees and representatives of the employer on the application and on the employee's performance in the context of evaluations of the employee's performance under his or her employment agreement;
- where applicable, details of the visa, work permit, residence or movement restrictions, special conditions concerning the right of residence and, if any, special information on applicable tax regimes (for example, for expats);
- details of travel and movement, such as information on previous stays and movements, travel visas, and work permits;
- data that would be requested by third parties with a view to offering benefits to the employee (such as, for example, data for payroll providers or insurers);
- contracts between the employee and the Company, including any exhibits and amendments thereto; and
- other personal data that the employer is legally obliged to process.

Personal data may also include files and communications that the employee may create, send, or receive during the course of employment. The employee will also, of course, inevitably be referred to in many Company documents, correspondence, and records that are produced by the employee and his or her colleagues in the course of carrying out their duties and the business of the Company.

## **Purposes for Which We Collect and Use the Personal Data, Legal Bases**

The Company maintains and processes information about its applicants and employees for normal employment purposes. For example, some of the primary purposes for which the Company processes personal data (and the related bases for such use) include the following:

- (i) In connection with our rights and obligations under our employment relationship (including the contracts in which we have entered with you):
  - recruiting and staffing;
  - administration of salaries and expenses, pension, sickness benefit, or other payments and contributions due under the contract of employment;
  - monitoring absence or sickness under an absence control or capability policy;
  - administration of global incentive compensation programs;
  - training and development purposes, including performance management;
  - management planning;
  - appraisal, promotion, and salary progression exercises;
  - administration of Company and Skyworks' policies;
  - administration of the Company and Skyworks' disciplinary and grievance procedures;
  - protection of the Skyworks's intellectual property and confidential information;
  - providing Company and other services (for example, car parking); and
  - contacting close family and emergency services in the event of an emergency, for example, illness, serious injury to a member of staff, or bereavement.
- (ii) For compliance with legal and regulatory obligations:
  - compliance with any legal requirement to provide information about employee or other workers, including, for example, tax returns to external bodies and employee membership lists to unions, as well as tax and social security obligations related to the payment of salaries and the provision of other benefits; and
  - other legal obligations, including those related to health and safety of employees at work.
- (iii) To manage the business and pursue legitimate interests and objectives of the Company:
  - production of published employee lists, including the Company and Skyworks address book and telephone and e-mail directories for both internal and external use;
  - production of employee identity cards;
  - operation of IT systems and other electronic resources, including network access;

- managing the whistleblower hotlines and conducting the human resources function;
- monitoring the use of the Company's electronic resources, including certain electronic communications, as detailed in our Skyworks Electronic Resources Policy, available on the Company's intranet;
- measuring and increasing employee engagement;
- to help the Company respond to pandemics or other public health emergencies and protect the health and safety of its workforce;
- investigations performed by the Skyworks Legal department; and
- dispute handling and litigation.

(iv) Provision of the personal data to third parties for achieving the purposes listed in (i)-(iii) above as outlined below.

(v) Based on the respective employees' prior informed consent:

- in certain situations the Company may request consent to certain processing of employee personal data.

#### **Entities with Whom We May Share the Personal Data**

Skyworks must share employee personal data in order to effectively manage the Company and meet its employment obligations for the purposes listed in (i)–(iii) above. In addition, employee personal data (regardless of an employee's location) may be stored on central servers or repositories that are owned by or managed by employees of other entities or located in other jurisdictions outside of the country of employment. As a result, the personal data which Skyworks collects is frequently shared between and/or jointly used by Skyworks entities and affiliates. Details of such Skyworks entities and affiliates may be found [here](#).

We will disclose personal data to third parties if we are legally or contractually obligated to do so or when we need to comply with our contractual and legal duties to you, including employment obligations. For example, Skyworks outsourced certain administrative functions and needs to provide personal data to these outsourced service providers. We may need to transfer certain information to our external payroll provider, health insurance providers, and other administrative partners. We may also need to transfer personal information to our professional legal, financial and other advisors on an entrusted basis to seek advice, conduct internal audits and investigations, or comply with other legal or contractual duties. In certain circumstances, employees' personal data (for example, their Skyworks email address and phone number) may be provided to customers, suppliers, and other partners for purposes of facilitating business objectives, protecting confidential information, or pursuing business opportunities.

Sometimes the Company will make use of business productivity tools that are located in the cloud or on third-party servers, meaning that the personal data, such as employees' Skyworks email address, may be shared with these third parties in order to facilitate employees' use of and access to these tools.

To the extent contracts are legally required to ensure that data recipients adequately protect personal data, the Company will enter into such contracts. This includes transfers to jurisdictions for which contractual protections are legally required because the jurisdictions are deemed to provide inadequate legal protections for personal data. In addition, the Company may rely on contractual protections, including non-disclosure, confidentiality obligations, and data protection agreements, to ensure that third parties properly protect and use employee personal data.

In the context of possible reorganizations or acquisitions, personal data may also be communicated to third parties involved in these transactions (in the context of a due diligence and further on in the transaction process), but limited to the purposes of those transactions. In such case, this transfer is based on the legitimate interest of the Skyworks companies concerned, their shareholders, and the third parties concerned in view of the proposed transaction.

Note that the Company is required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. In such cases, personal data may be proportionately disclosed to law enforcement agencies, regulatory bodies, and government agencies such as the tax and social security administration to comply with legal obligations or pursue legal remedies, including to initiate or defend a legal claim. In addition, personal data may be used or disclosed in an emergency to protect the vital interests of the Company or its employees.

#### **How Personal Data may be Used and How Long Personal Data May Be Kept**

In the event the Company processes data with automated machines, for purposes including but not limited to profiling, disclosing, referring, sharing and transferring abroad, the Company will comply with all applicable laws.

Employees' personal data will be kept and maintained during the period of employment and following the end of employment at the Company in order to allow the Company to comply with employment obligations and other applicable laws, rules, and regulations. Applicants' personal data will likewise be kept and maintained for as long as needed to comply with the Company's legal obligations. In addition, certain personal data (such as emails the employee may have sent or received) may be kept and used for ongoing Company business purposes. The criteria used for determining when and how long to maintain such records is based on the legal requirements, the legitimate business needs of the Company, and its actual and potential obligations and liabilities toward former employees. Certain personal data will be retained in our records indefinitely.

#### **Choices Regarding Personal Data**

Subject to applicable law, an applicant or employee may choose to provide or withhold their personal data from Skyworks. However, if an applicant or employee refuses to provide personal data that is

necessary for Skyworks to process an application, benefit or right or to exercise its rights under the employment agreement, Skyworks may refuse to process such application, benefit or right and the ongoing employment of the employee may be affected.

Upon receipt of a request from an applicant or employee and subject to applicable law, we will generally allow them to:

- access their personal data;
- correct, complete, or delete their personal data;
- limit or refuse the continuous collection or processing or use of their personal data;
- withdraw consent for processing their personal data going forward, provided that the withdrawal is not retroactive and will not affect other lawful bases for processing the information; and
- exercise any rights provided under applicable law (eg requests for copies of their personal data).

Note that rights are not absolute—and Skyworks may deny such a request when not required by law to grant it. Skyworks may deny certain requests as permitted by law, for example, if doing so would hinder its ability to fulfill its contractual obligations to employees, fulfill its legal obligations, or successfully manage and operate its business. If Skyworks rejects such a request, it will explain the reasons why.

Please contact the Data Protection Officer mentioned below for the information on the procedures for making the above requests.

### **Contact Details and Data Protection Officer Information**

The Company is the data controller or data handling entity with respect to the employee's personal data.

Please contact Skyworks Data Protection Officer, Balkrishna Tripathi, at [Balkrishna.Tripathi@skyworksinc.com](mailto:Balkrishna.Tripathi@skyworksinc.com) or if applicable, the Company data protection officer, whose details may be found [here](#), if you have questions about this Privacy Policy, seek clarification or have complaints about how personal data is handled, reasonably believe this Privacy Policy has not been followed, or would like to submit a request concerning your personal data.

### **Security Control Measures to Protect Personal data**

Skyworks takes reasonable technical and organizational measures to safeguard users' personal data.

We limit access to personal data to those individuals and organizations who we believe reasonably need to receive such information to fulfil the purposes for which the personal data is collected, and we take precautions we deem reasonable to protect employees' personal data in accordance with applicable law. However, as in many computer systems, internet applications and software programs,

unauthorized use, failure of hardware or software, etc. may be injurious to the confidentiality of personal data notwithstanding the actions we take to prevent this.

Because the security of all personal data associated with our users is of utmost concern to us, we periodically review and improve our security when new technology becomes available. This includes use of software which encrypts (using AES-256 bit encryption) or distorts data submitted to us relating to an online application.

If users have any questions about security, please contact the Data Protection Officer using the information in the "Data Protection Officer Information" section above.

### **Changes to This Privacy Policy**

Skyworks has the authority to change or terminate this Privacy Policy in whole or in part at any time without prior notice (unless required by law) when we modify or add processes, or when required because of developments in applicable laws. We encourage employees to regularly consult this information on the intranet, and will inform employees about updates and obtain their consent to the extent legally required.