

Johns Manville – Vendor Notice for Johns Manville Germany

Updated: March 2021

Recent changes in European data protection law requires Johns Manville Germany, Johns Manville Europe GmbH (“Company”) and Johns Manville (“JM”) to provide certain information about the collection of personal data we maintain and use of in relation to our suppliers. This privacy notice describes how the Company and JM (together “we”, “our” or “us”) collect and process personal data of our suppliers, which may include the personal data of our suppliers’ directors, officers, employees, affiliates and agents (together “you”, “your” or “supplier(s)”), how we protect this information and your rights in relation to it.

This privacy notice applies to all personal data we collect or process about you in relation to our business relationship with you as a as supplier to JM. Personal data is information or a combination of pieces of information that could identify you.

Data Controllers

The Company and JM are each known as “Controllers” of personal data under the GDPR. The Controllers’ contact information and their respective points of contact are:

Johns Manville Germany
Postfach 1555
Wertheim, Germany

Max-Fischer-Straße 11
Bobingen, Germany 86392

Wupperstraße 10,
Berlin, Germany 14167

Johns Manville Europe GmbH
Max-Fischer-Strasse 11
D-86399 Bobingen, Germany
Data Protection Officer: Bernd Christensen
Telephone: +49 (9342) 801-455
Email: Bernd.Christensen@jm.com

Johns Manville Slovakia, a.s.
Strojarenska 1
Trnava 91799 Slovakia

Johns Manville
717 17th Street
Denver, CO 80202, USA
Point of Contact: Chief Privacy Officer
Telephone: 1-866-256-1943

E-mail: privacy@jm.com

Data Protection Officer

The Company's German Data Protection Officer can be contacted at:

Johns Manville Europe GmbH
Data Privacy Officer: Dr. Bernd Christensen
Data Protection Officer German JM Subsidiaries
Werner-Schuller-Str. 1
97877 Wertheim, Germany
Telephone: +49-9342-801-455
Email: Datenschutzbeauftragter@jm.com

Data Collected

Data we collect from you

The Company collects personal data ("Data") of its suppliers which may include any of the following:

- **Personal details** (including but not limited to: first name; surname; business contact information); and
- **Supplier/prospect records** (including but not limited to: details of goods and services we purchase from you or for which you are considered a prospective supplier; records of interaction with you (including correspondence and details of complaints we may have had and their resolution))

How the Company and JM Use your Data

The Company and/or JM use your Data for any or all of the following purposes:

- **Business operations** (including but not limited to: purchasing goods and services; managing accounts payable; managing vendor relationships);
- **Accounting and record-keeping** (including but not limited to: maintaining supplier records and accounts, including as required for internal accounting purposes and for preparing statutory filings, audits and financial reviews); and/or
- **Compliance, investigations and establishing, enforcing and defending the legal rights and claims of any JM Entity** (including but not limited to: protecting against claims and other liabilities; enforcing or defending the legal rights of any JM Entity; compliance with requests and/or investigations by regulatory and/or governmental bodies; conducting audits; responding to legal process such as subpoenas; managing external complaints).

We must have a legal basis to process your Data. In most cases the legal basis will be one of the following:

- To fulfil our contractual obligations with you in connection with our vendor contracts and/or
- To meet our legitimate interests in maintaining the processing for the purposes of purchasing products and services from you. When we process Data to meet our legitimate interests, we put in place robust safeguards to ensure that your privacy is protected and to ensure that our legitimate interests are not overridden by your interests or fundamental rights and freedoms.

Who Receives your Data

As a group of companies, we work closely together. As a result, the Company and JM will share certain Data with one another for the purposes described above. We may also share certain Data with other companies in the JM corporate group for business operations purposes.

We may also share your Data:

- with service providers and business partners that perform business operations for us. For example, we may partner with other companies for maintaining accounts payable and fulfilling invoices;
- when required to do so by law, and/or by public authorities to comply with legal and/or regulatory requirements and cooperate with regulators and law enforcement bodies; or
- with any third party that purchases, or to which we transfer, all or substantially all of our assets and/or business. Should such a sale or transfer occur, we will use reasonable efforts to try to ensure that the entity to which we transfer your Data uses it in a manner that is consistent with this privacy notice.

Because we operate as part of a global business, the recipients referred to above may be located outside the jurisdiction in which you are located. Please see the section on "Transfer of Data Outside of the EU" below for more information.

We restrict access to your Data to those individuals who need the information to perform the purposes outlined, above. In some instances, and as outlined above, for example to fulfill invoices, we transfer your Data to third-parties. When your Data is transferred to a third-party, we will ensure it is protected by adequate security measures and is processed in accordance with applicable law.

Transfer of Data Outside of the EU

Your Data may be transferred to, stored and processed in a country other than the one in which you provide it, including countries outside the EU.

We have put in place appropriate safeguards (such as contractual commitments) in accordance with applicable data protection laws to ensure that your Data is adequately protected. For more information on the appropriate safeguards in place, please contact us at the details below.

To ensure that these transfers comply with legal requirements, including the GDPR, the Company, JM and JM's other EU subsidiaries have entered into an inter-company agreement incorporating European Commission-approved contractual clauses (the Standard Contractual Clauses). The inter-company agreement sets forth the legal requirements for JM's use of the Data and describes the technical and organizational measures JM uses to protect and secure the Data. For transfers to the USA, there is currently no adequacy decision by the EU Commission within the meaning of Art. 45 (1) GDPR. This means that the EU Commission has not yet positively determined that the country-specific level of data protection in the USA corresponds to that of the European Union under Art. 6 GDPR. The GDPR requires so-called-suitable guarantees for a data transfer to such a third country like the USA. For example, guarantees like Standard Contractual Clauses ("SCC") and Binding Corporate Rules approved by a supervisory authority ("BCR"). Given the ruling by the European Court of Justice ("CJEU") issued in July 2020, the existing SSC with JM USA for data transfers to the USA does not provide an absolute guarantee that data protection of your personal data in the USA corresponds to level of protection in the European Union. For the purposes of transferring your data to the USA for customer service, business operations, communications and emergencies, compliance investigations, establishing enforcing and defending the legal rights and claims of any JM entity, and education and training, JM bases the data transfer on any of the legal basis listed above and in some cases your consent.

Data Retention

In general, we will keep your Data for as long as you maintain a business relationship with the Company. Once this relationship with you has come to an end, we will retain your Data for a period of time that enables us to:

- maintain business records for analysis and/or audit purposes;
- comply with record retention requirements under the law;
- defend or bring any existing or potential legal claims; and/or
- deal with any queries or complaints we may have.

Your Rights with Respect to the Data

Unless subject to an exemption under the GDPR or applicable law, you have the following rights with respect to your Data:

- The right to request a copy of your Data which the Company and JM hold about you and certain information about how we process that Data;
- The right to request that the Company and/or JM correct any Data if it is found to be inaccurate or out of date;
- The right to request that your Data is erased in some circumstances;
- The right, in some circumstances, to request that our use of your Data is restricted;
- The right in some circumstances to object to the processing of your Data;
- The right in some circumstances to receive your Data in a usable electronic format and transmit it to a third party (right to data portability); and

- The right to lodge a complaint with the applicable data protection authorities.

Information on how to exercise these rights can be found in JM's Data Subject Rights request policy available at [Data Subject Rights Request Policy](#).

How to Contact Us

To make a query, raise a concern, or exercise your data protection rights, please contact us at privacy@jm.com.

The data controller for your personal data is Johns Manville, which you may contact by via email at privacy@jm.com or at the following address:

Johns Manville
717 17th Street
Denver, CO 80202, USA
Point of Contact: Chief Privacy Officer
Telephone: 1-866-256-1943

Changes to this Privacy Notice

This Privacy Notice may be updated periodically and without prior notice to you to reflect changes in our information practices or relevant laws. We will post a notice on JM.com that points to this Privacy Policy to notify you of any substantive changes to the way we collect and use information. We will indicate at the top of the Privacy Policy when it was last updated.