

Trinity Careers Applicant Privacy Notice

Last modified: May 16, 2022,

1. Introduction

Trinity Industries, Inc., as data controller and with address at 14221 North Dallas Parkway, Suite 1100 Dallas, TX 75254, its and its subsidiaries, affiliates, and successors (“Trinity,” “Company,” “we,” “our” or “us”) respect your privacy and are committed to protecting it through our compliance with this Applicant Notice.

This Applicant Privacy Notice (the “**Applicant Notice**”) describes our collection, use, and disclosure of certain Personal Information relating to job applicants and candidates for positions with the Company (“**Applicants**”) when you visit the website <https://jobs.trin.net/> (our “**Website**”) This Applicant Notice describes our collection and use of certain Personal Information about Applicants and is intended to satisfy applicable notice requirements under various U.S. and international data protection laws, including those under the California Consumer Privacy Act (“**CCPA**”), applicable Canadian privacy laws, and the Mexican Federal Law for the Protection of Personal Data in Possession of Private Parties. We may provide Applicants additional notices about our data collection practices that are covered by other laws (e.g., if we conduct a background check or extend an employment offer).

This Applicant Notice applies to information we collect:

- On this Website;
- In email, text, and other electronic messages or submissions between you and Trinity; or
- Through other means provided they link to this Applicant Notice.

Please read this Applicant Notice carefully to understand our policies and practices regarding your information and how we will process it. If you do not agree with our policies and practices, your choice is not to use our Website. By accessing or using this Website, you agree to this Applicant Notice. This Applicant Notice may change from time to time (see *Changes to Our Applicant Notice*). Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check this Applicant Notice periodically for updates.

2. What Information We Collect

As further described below Trinity collects information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with you or your household (“**Personal Information**”). The categories of Personal Information we collect, and use may vary depending on location or the position(s) applied for, as well as the associated qualifications and responsibilities for the position. This Applicant notice does not apply to publicly available information obtained from state or federal government records, deidentified information, or aggregated information.

a) Categories of Information We Collect

We collect the following categories of Personal Information, which is generally collected directly from your application or resume and stored on servers located in the United States.

- **Personal identifiers.** This includes full name, postal address, e-mail address, telephone number, social security number, or any other identifier by which you may be contacted online or offline. We also collect your emergency contact's personal identifiers if you provide this information during the recruitment process.
- **Professional and Employment-Related Information.** This includes information related to your employment history such as previous employer's name, job title, dates of employment, role description, and any other details you provide in support of your application, including your resume and/or cover letter, reference letters, reasons for applying for the position, interview notes, and competence and capability statements. We will not request or collect your salary history information during the application process.
- **Education Information.** As part of your application, we may collect information including name of educational institution, degree(s) obtained, field of study, dates of attendance, and qualifications.
- **Characteristics of Protected Classifications.** We may collect information about whether you are legally authorized to work in the jurisdiction for which you have applied for a job with us, or whether you require a visa and, if you choose to disclose, whether you require a disability accommodation.
- **Inferences Drawn.** We may infer additional information about you from the Personal Information collected, including behaviors, attitudes, intelligence, or aptitudes.
- **Internet and Network Information.** If you use a personal device to apply for a job with us online we may collect your interaction with our Website or cookie data.

We will not collect additional categories of Personal Information without first providing you notice.

3. How We Collect Your Personal Information

a) Information You Provide to Us

The information we collect on or through our Website may include:

- Information that you provide by filling in forms and applications on our Website. This includes information provided at the time of registering to use our Website, applying for a position, or requesting further services. We may also ask you for information when you report a problem with our Website.
- Records and copies of your correspondence (including email addresses) if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes.
- Your search queries on the Website.

b) Information We Collect Automatically

As you navigate through and interact with our Website, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to our Website, including traffic data, logs, and other communication data and the resources that you access and use on the Website.
- Information about your computer and internet connection, including your IP address, operating system, and browser type.

The information we collect automatically may include Personal Information or we may maintain it or associate it with Personal Information we collect in other ways or receive from third parties. It helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our Website according to your individual interests.
- Speed up your searches.
- Recognize you when you return to our Website.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.
- **Flash Cookies.** Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies. For information about managing your privacy and security settings for Flash cookies, see Choices About How We Use and Disclose Your Information.
- **Web Beacons.** Pages of our Website and our emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

The Personal Information that we obtain from these tracking technologies include the following:

- browsing time on our website,
- your preferences on our site (e.g., language settings),
- pages visited, and
- internet pages accessed prior to ours.

Your Personal Information obtained through these technologies will be shared with the following people, companies, organizations, or authorities other than us, for the following purposes:

- Analytics providers to help us understand how visitors to our Website are using and interacting with its features.
- Advertising partners to help us show you jobs that may be of interest to you.

If you wish to prevent Cookies from tracking your activity, or visits across multiple websites, you can set your browser to block certain Cookies or notify you when a Cookie is set. If you block Cookies, certain features and Services may not work. For more information on how you can customize your browser's Cookie setting, please visit the link to your web browser below:

- [Google Chrome](#)
- [Safari](#)
- [Internet Explorer](#)
- [Mozilla Firefox](#)

We are not responsible for the completeness, effectiveness, or accuracy of any third-party opt-out options or programs.

4. Purposes for Collecting and Using Personal Information

We use the Personal Information we collect for the following primary business and commercial purposes. We will not use the Personal Information we collect for materially different purposes without first providing you notice.

- **Recruiting and Hiring.** We use the information we collect from or about you to facilitate our recruiting and hiring process, including to (a) evaluate applications for employment; (b) verify information about your credentials, such as education and prior employment; (c) follow-up on references that you may provide; (d) conduct background investigations; (e) make hiring decisions (including, if applicable, determining the terms of an offer of employment); and (f), if applicable, onboard you as an employee. To the extent you use third-party websites, the sites may be governed by separate terms of use and privacy policies, which are not under our control and are not subject to this Applicant Notice. Please contact the third parties for questions regarding their privacy practices, as well as to exercise your rights.
- **Trinity Communications.** We may use your Personal Information to contact you about new jobs matching your preferences and other events and announcements if you select these options within your candidate profile.
- **Trinity Business Operations.** We may use the information we collect from or about you to facilitate our internal business operations. This may include:
 - To make our Website and its contents functional to you.
 - To provide you with information that you request from us.
 - To fulfill any other purpose for which you provide it.
 - To carry out our obligations and enforce our rights arising from any contracts entered into between you and us.
 - In any other way we may describe when you provide the information.
 - For any other purpose with your consent.

- To comply with applicable laws and regulations, such as laws related to the evaluation of those seeking employment, or to defend ourselves in claims under such laws.
- **Security and Monitoring.** We may use information we collect from or about you to assist in monitoring and securing our resources, network, premises, and assets.

5. Disclosure of Your Information

We may disclose aggregated information and information that does not identify any individual without restriction as this information is generally not considered Personal Information and cannot be used to identify you.

Access to your Personal Information is restricted to those staff and designated agents who have a need to access the Personal Information in question to carry out their responsibilities with regard to recruitment or employment. We may disclose Personal Information that we collect, or you provide:

- To our subsidiaries and affiliates as needed to support our recruiting and hiring efforts.
- To contractors and service providers we use to support our business and who are bound by contractual obligations to keep Personal Information confidential and use it only for the purposes for which we disclose it to them. For example, we may use service providers to help us with background checks, applicant reviews, interview scheduling, credential and reference verification, and storage of applicant information.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Trinity's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by Trinity about our Website users is among the assets transferred.
- To fulfill the purpose for which you provide it.
- For any other purpose disclosed by us when you provide the information.
- Subject to requirements under applicable law, with your prior consent.

We may also disclose your Personal Information:

- To comply with any court order, law, or legal process, including to respond to any government, law enforcement, or regulatory request.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Trinity, our employees or contractors, customers, or others.

We do not disclose applicant information to job banks, or to other companies or external parties without your consent.

6. Choices About How We Use and Disclose Your Information

We strive to provide you with choices regarding the Personal Information you provide to us. You may be able to control the information you share with us in the following way:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can

manage your Flash cookie settings, visit the Flash player settings page on Adobe's [website](#). If you disable or refuse cookies, please note that some parts of this site may be inaccessible or might not function properly.

We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's [website](#) (<https://optout.networkadvertising.org/?c=1>).

Visitors to our Website from Mexico: You can limit the use and disclosure of your Personal Information through the following means:

- By registering in the Public Registry to Avoid Advertising, which is in charge of the Federal Consumer Protection Agency ("PROFECO"), so that your Personal Information is not used to receive advertising or promotions from goods or services companies. For more information on this registry, you can consult the PROFECO Internet portal, or contact the PROFECO directly.
- By requesting to be added to our exclusion list, so that your Personal Information is not processed for marketing, advertising, or commercial prospecting purposes. For the purposes of the above, please send an email to TrinityCareersPrivacy@trin.net and specify that you are a visitor or applicant from Mexico and wish to be added to our exclusion list.

7. Mexican Applicants – ARCO Rights

Applicants from Mexico have the right to: (i) access their Personal Information; (ii) rectify their Personal Information if it is inaccurate or incomplete; (iii) cancel (delete) their Personal Information; and (iv) oppose the use of their Personal Information for specific purposes (together, the "ARCO Rights"). To exercise any of the ARCO Rights as a Mexican citizen, please send an email to TrinityRecruiting@trin.net and provide at least the following information:

- Your full name and email or address.
- The documents that prove your identity, or where appropriate, that of your legal representative.
- A clear description of the Personal Information and the ARCO Rights you wish to exercise relating to that Personal Information.
- Any other element or document that facilitates the location of the Personal Information.
- If needed, we may request additional information.

We will respond to your request within twenty (20) business days and, if necessary, your request will be implemented within a maximum period of 15 (fifteen) business days.

8. Making Changes or Updates to your Personal Information and Exercising Your Privacy Rights

You can review and change your Personal Information by logging into the Website and visiting your account profile page. However, once you have submitted your resume for a specific opening, you will not be able to update the information contained in that resume. A new resume may be submitted when applying for other positions.

All visitors and applicants may send us requests to access, correct, or delete any Personal Information by sending us an email to TrinityRecruiting@trin.net. The privacy rights available to visitors and applicants differ depending on where they are physically located. We have provided additional information below for visitors and applicants from California, Mexico, and Canada.

We may not accommodate a request to provide access, change, or delete information if we believe we need to keep the information for our internal business purposes, the request is not authorized under applicable law, or the change would violate any law or legal requirement or cause the information to be incorrect.

Although you can access your own Personal Information as described above, upon written request Trinity will provide you with the specific Personal Information about yourself that you request, and that Trinity has under its control (except in limited circumstances described below). We will also give you information about where the information is being stored and how it is being used.

In some situations, Trinity may not be able to provide access to certain Personal Information (for example, if disclosure would reveal Personal Information about another individual, the Personal Information is protected by a legal privilege, or the information collected is for the purposes of an investigation). Trinity may also be prevented by law from providing access to certain Personal Information. Where we refuse an access request, we will notify you in writing, explain the reasons for refusal and outline further steps that are available to you.

a. California Applicants

The California Consumer Privacy Act of 2018 (“CCPA”) (Cal. Civ. Code § 1798.100 et seq.) currently provides applicants and employees who are California residents a right to notice at collection. This Applicant Notice serves as that notice at collection.

Currently, the CCPA does not provide applicants and employees with rights to access, correct, or delete their Personal Information. If this changes, Trinity will inform you about any policies and procedures related to such additional privacy rights. This does not affect other rights you may have under the California Labor Code or similar laws.

Beginning on January 1, 2023, your rights as a California resident under the CCPA, including the rights to request access, correct, and delete information may change. We update our privacy notices annually and recommend that you review this notice to see how your rights may have changed.

b. Mexican Applicants – ARCO Rights

Applicants from Mexico have the right to: (i) access their Personal Information; (ii) rectify their Personal Information if it is inaccurate or incomplete; (iii) cancel (delete) their Personal Information; and (iv) oppose the use of their Personal Information for specific purposes (together, the “ARCO Rights”). To exercise any of the ARCO Rights as a Mexican citizen, please send an email to TrinityRecruiting@trin.net and provide at least the following information:

- Your full name and email or address.

- The documents that prove your identity, or where appropriate, that of your legal representative.
- A clear description of the Personal Information and the ARCO Rights you wish to exercise relating to that Personal Information.
- Any other element or document that facilitates the location of the Personal Information.
- If needed, we may request additional information.

We will respond to your request within twenty (20) business days and, if necessary, your request will be implemented within a maximum period of 15 (fifteen) business days.

Means to revoke consent for the processing of your Personal Data. Applicants from Mexico can revoke the consent that, where applicable, you have given us for the processing of your Personal Information. However, we may not be able to respond to your request or terminate the use immediately, since it is possible that, due to some legal obligation, we need to continue processing your Personal Information. Likewise, for certain purposes, the revocation of your consent may result in us terminating our relationship with you, including any pending job applications.

Please follow the instructions above to revoke your consent.

Disagreement or complaint to the INAI. If you believe that your right to the protection of Personal Information has been harmed by any conduct or omission on the part of Trinity or believe any violation of the provisions provided in the law, its regulations and other applicable regulations has occurred, you may file your disagreement or complaint with the National Institute of Transparency, Access to Information and Protection of Personal Data (INAI). For more information, please visit: www.inai.org.mx.

c) Canadian Applicants

We may transfer and disclose your personal information to third parties (including our affiliates and service providers) for storage and processing for the purposes described above. These affiliates or service providers may be located outside of your province of employment or outside of Canada. Applicable laws in those foreign jurisdictions might permit foreign governments, courts, law enforcement or regulatory agencies to access the information in those jurisdictions. In these cases, we will comply with local law requirements relating to the conditions for disclosure of personal information outside of your jurisdiction.

9. Retention and Deletion of Your Personal Information

Trinity retains your personal information only as long as is necessary for evaluation for employment, as well as to comply with applicable laws relating to the evaluation of those seeking employment. After this time your information is deleted. If you become a Trinity employee, the information you have provided will become part of your personnel file and subject to our employee privacy policy.

10. Safeguarding Data

You are responsible for the safety and security of your information. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure and we cannot guarantee the security of your Personal Information transmitted to our Website. Any transmission of Personal Information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

Trinity uses administrative, technical, personnel, and physical measures intended to protect your personal information against loss, theft, and unauthorized use or modification. In addition, we exercise special precautions in dealing with applicant personal data defined as “sensitive” by law. For example, when satisfactory completion of a medical examination is a condition for being hired, no medical information, apart from overall suitability or unsuitability for employment, or necessary accommodations, is provided to hiring managers or stored in a new employee's personnel file.

11. Children Under the Age of 18

Our Website is not intended for children under 18 years of age. We do not knowingly collect Personal Information from children under 18. If you are under 18 do not use or provide any information on this Website or on or through any of its features. If we learn we have collected or received Personal Information from a child under 18 without verification of parental consent, we will delete that information from our records. If you are a parent or legal guardian and believe your child has given us information and you did not provide consent, please contact us at:

Trinity Human Resources
14221 North Dallas Parkway, Suite 1100
Dallas, TX 75254
TrinityCareersPrivacy@trin.net

12. Disclaimer

Nothing in this Applicant Notice restricts Trinity's ability to:

- Comply with federal, state, or local laws;
- Comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal state, or local authorities;
- Cooperate with law enforcement agencies concerning conduct or activity that may violate federal, state, or local law;
- Exercise or defend legal claims;
- Detect security incidents and protect against fraudulent or illegal activity and prosecute those responsible for such activity; or
- Transfer Personal Information as part of a merger or acquisition, dissolution, bankruptcy, or any other transaction in which a third party assumes control of all or part of Trinity.

13. Changes to Our Applicant Notice

It is our policy to post any changes we make to our Applicant Notice on this page. If we make material changes to how we treat our users' Personal Information, we will notify you through a notice on the Website home page. The date the Applicant Notice was last revised is identified at

the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Website and this Applicant Notice to check for any changes.

This Applicant Notice is reviewed and updated annually. The date this version was last modified is posted at the top of the page.

14. Consent to Process and Transfer Personal Information

By submitting your application for employment, you are consenting to the collection and processing of your personal information by Trinity under the terms of this Applicant Notice. Further, if you are located outside of the United States, you are consenting to the transfer of your information to the United States for the purposes set forth in this Applicant Notice, even if you are eventually employed by Trinity outside of the United States.

15. Resolving Concerns and How to Contact Us

If you have questions or concerns regarding this Applicant Notice and our privacy practices, please contact us at:

Trinity Human Resources
14221 North Dallas Parkway, Suite 1100
Dallas, TX 75254
TrinityCareersPrivacy@trin.net