

## **THE LEARNING ZONE PRIVACY POLICY**

Yum! Brands, Inc. and its global subsidiaries and affiliates (“Yum”) provides the Learning Zone website (the “Site”) authorized individuals the opportunity to participate in online training regarding your restaurant and its policies and procedures. Access to The Learning Zone and/or its contents is limited only to authorized individuals who are current employees or contractors. Yum, together with Franchisees is collectively referred to as the “Yum System”.

### **PRIVACY POLICY**

#### **PRIVACY SHIELD**

Yum complies with the U.S. – E.U. Privacy Shield framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal data from European Union member countries. Yum! Brands, Inc. has certified that it adheres to the Privacy Shield Principles of notice, choice, accountability for onward transfer, security, data integrity and purpose limitation, access, and recourse and enforcement. To learn more about the Privacy Shield program, and to view Yum’s certification please visit <http://www.privacyshield.gov>.

#### **NOTICE**

##### **Collecting and Processing Personal Information**

###### *Information You Provide*

For purposes of this Policy we define “Personal Information” as data about an identified or identifiable individual that are within the scope of the applicable EU law or regulation, received by an organization in the United States from the EU, and recorded in any form.

In order to administer The Learning Zone effectively, Yum collects a variety of information about you as part of your training. This includes your name, address, work e-mail, appropriate identification number (either issued by a Yum System member or governmental authority), as well as all the Personal Information related to your training

which you receive via the Learning Zone. We may also collect other information which is relevant to the purposes we describe in this Policy.

Information related to your enrollment, performance and/or completion of the training will be noted in your human resources file, reported to your employer and supervisor and otherwise used in connection with your employer's human resources administration as well as your training via The Learning Zone.

#### *Automatically Collected Information*

We also collect Personal Information automatically via your use of the Site. As you navigate the Site, we may also collect information through the use of commonly-used information-gathering tools, such as cookies and web beacons (collectively "Website Navigational Information"). Website Navigational Information includes standard information from your web browser (such as browser type and browser language), your Internet Protocol ("IP") address, and the actions you take on the Site (such as the web pages viewed and the links clicked).

#### Cookies

Like many companies, we may use cookies on this Site. Cookies are pieces of information shared between your web browser and a website. Use of cookies enables a faster and easier experience for the user.

There are different kinds of cookies with different functions:

- Session cookies: these are only stored on your computer during your web session. They are automatically deleted when the browser is closed. They usually store an anonymous session ID allowing you to browse a website without having to log in to each page. They do not collect any information from your computer.

- Persistent cookies: a persistent cookie is one stored as a file on your computer, and it remains there when you close your web browser. The cookie can be read by the website that created it when you visit that website again.
- First-party cookies: the function of this type of cookie is to retain your preferences for a particular website for the entity that owns that website. They are stored and sent between Yum's servers and your computer's hard drive. They are not used for anything other than for personalization as set by you. These cookies may be either Session or Persistent cookies.
- Third-party cookies: the function of this type of cookie is to retain your interaction with a particular website for an entity that does not own that website. They are stored and sent between the Third-party's server and your computer's hard drive. These cookies are usually Persistent cookies.

We use cookies for the following purposes:

#### Where strictly necessary

These cookies are essential in order to enable you to move around the Site and use its features, such as accessing secure areas of the Site. Without these cookies, the Site will not function in a useful and meaningful way. These cookies do not gather Personal Information which will be used for marketing or similar kinds of tracking.

#### Performance

These cookies collect information about how visitors use a Site, for instance which pages visitors go to most often, and if they get error messages from web pages. They also allow us to record and count the number of visitors to the Site, all of which enables us to see how visitors use the Site in order to improve the way that our Site works. These cookies generally do not collect Personal Information, as all the information these cookies collect is used to improve how our Site works.

## Functionality

These cookies allow our Site to remember choices you make (such as your user name, language or the region you are in) and provide enhanced features. For instance, a Site may be able to remember your log in details, so that you do not have to repeatedly sign in to your account when using a particular device to access our Site. These cookies can also be used to remember changes you have made to text size, font and other parts of web pages that you can customize. They may also be used to provide services you have requested such as viewing or commenting on content on the Site.

You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of the Site. Please consult your web browser's 'Help' documentation or visit [www.aboutcookies.org](http://www.aboutcookies.org). for more information about how to turn cookies on and off for your browser.

## Google Analytics

This Site does use Google Analytics, a web analytics service provided by Google, Inc. ("Google"). Google Analytics uses cookies to help the website analyze how users use the site. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity, and providing other services relating to website activity and internet usage for Yum and its affiliates. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google. By using this website, you consent to the processing of data about you by Google in the manner and for the purposes set out above.

### **“Do Not Track”**

The major browsers have attempted to implement the draft “Do Not Track” (“DNT”) standard of the World Wide Web Consortium (“W3C”) in their latest releases. As this standard has not been finalized, Yum’s Sites are not compatible with DNT and so do not recognize DNT settings.

### **Web Beacons**

The Site may also use web beacons (including web beacons supplied or provided by third parties) alone or in conjunction with cookies to compile information about users’ usage of the Site and interaction with e-mails from Yum. Web beacons are clear electronic images that can recognize certain types of information on your computer, such as cookies, when you viewed a particular Site tied to the web beacon, and a description of a Site tied to the web beacon. We use web beacons to operate and improve the Sites and e-mail communications. We may use information from web beacons in combination with other data for the purposes described in this Policy, or any other notice we provide to you at the time we collect Personal Information from you.

### **IP Addresses**

When you visit the Site, Yum collects your Internet Protocol (“IP”) addresses to track and aggregate non-Personal Information. For example, Yum uses IP addresses to monitor the regions from which you navigate to the Site. IP addresses are generally be stored in such a way so that you cannot be identified from only the IP address.

### *Purpose for Collection*

Once you have joined Yum and provided all the above information we will use your Personal Information only as described in this Policy. In general, we use Personal Information for the following purposes: (1) to administer the Site (including how this Site is used and how to make any on-going improvements); (2) to process your talent information, development plan, learning history, LTS rating, performance scores, and other human resources purposes; (3) to comply with applicable law or legal process

including legal reporting, visa, and work permits; (4) to monitor career events and manage employee compensation; or (5) for those purposes we describe below as reason for disclosing your Personal Information to third parties.

## **Sharing Personal Information**

When registering for The Learning Zone, you give consent for your Personal Information to be shared with individuals or entities (which may include your employer and Yum service providers) who have a legitimate need to know the Personal Information. If you are based outside of the United States, this will require that your Personal Information be transferred to, processed, and stored on central servers in the United States, or sent to individuals, including service providers in the United States. The laws regarding data privacy in the USA, and other countries outside the European Economic Area (the “EEA”), may provide less adequate protection for the rights and freedoms of individuals than do the laws which apply within the EEA. However, your Personal Information will be processed in accordance with this Privacy Policy no matter where it is transferred.

Your Personal Information may be disclosed for the purposes described in this policy, and:

- When you have consented
- Within the Yum System in order to provide human resource administration, general business organization and governance purposes
- In the event of an acquisition of the restaurant or business where you are employed.
- To comply with applicable laws
- To third parties as required by law or court order
- To cooperate with government authorities in a criminal investigation or to detect or investigate crime

- To defend your legal rights or the rights of others, including the members of the Yum System, its Vendors and service providers
- To obtain legal advice on behalf of the members of the Yum System, its Vendors and service providers
- To respond to a lawful request by public authorities, including to meet national security or law enforcement requirements

## **CHOICE**

Your knowledge of and consent to Yum's collection, use and disclosure of your Personal Information is important. We rely on the following actions by you as indications of your consent to our existing and future Personal Information practices:

- Your voluntary provision of Personal Information to us directly;
- Your express consent or acknowledgement contained within a written, verbal or electronic application process; and
- Your verbal consent solicited by Yum (or our agent) for a specified purpose.

Where Yum relies on consent for the fair and lawful processing of Personal Information, the opportunity to consent will be provided when the Personal Information in question is collected. Your consent may be given through your authorized representative such as a legal guardian, agent or holder of a power of attorney.

Yum maintains servers and other storage facilities in the United States. As a consequence of your use of the site, your Personal Information may be used or stored in the United States. By using the Site you hereby affirmatively consent to the processing of your Personal Information in a country which may not have the same level of privacy protection as your country of residence. Should you withdraw this consent,

you agree that you will not use or visit the Site subsequent to your withdrawal of such consent.

Subject to certain legal or contractual restrictions and reasonable notice, you may withdraw this consent at any time. Yum will inform you of the consequences of withdrawing your consent. In some cases, refusing to provide certain Personal Information or withdrawing consent for Yum to collect, use or disclose your Personal Information could mean that we cannot provide the requested services or information for you.

If you wish to withdraw your consent please refer to the contact information section below.

However, there are a number of instances where Yum does not require your consent to engage in the processing or disclosure of Personal Information. Yum may not solicit your consent for the processing, transfer or disclosure of Personal information for those purposes which have a statutory basis, such as where:

- The transfer or processing is necessary for the performance of a contract between you and Yum (or one of its affiliates);
- The transfer or processing is necessary for the performance of a contract, concluded in your interest, between Yum (or one of its affiliates) and a third party;
- The transfer or processing is necessary, or legally required, on important public interest grounds, for the establishment, exercise, or defense of legal claims, or to protect your vital interests;
- The transfer, processing and/or disclosure is in response to a lawful request by public authorities, including to meet national security or law enforcement requirements; or
- The transfer or processing is required by applicable law.

## **ACCOUNTABILITY FOR ONWARD TRANSFER**

As noted above, Yum may share an individual's information with contractors, government agencies and/or partners of Yum in connection with services that these individuals or entities perform for, or with, Yum. When your Personal Information is transferred to service providers, such as our software hosting provider, it is done under a contract which requires the companies to use the shared Personal Information only for the limited purposes for which it is provided to them, not to transfer the Personal Information to another party, and to agree to hold the information securely and confidentially. To the extent possible, all third parties to whom we disclose information are required by law and contractual undertakings to keep your Personal Information confidential and secure, and to use and disclose it only for purposes necessary for the performance of their obligations to Yum, or where a reasonable person would consider such processing appropriate in the circumstances.

## **DATA INTEGRITY AND PURPOSE LIMITATION**

Yum will collect, use, or disclose Personal Information that is necessary for the purposes as described in this Policy, or as permitted by law. If we require Personal Information for any other purpose, you will be notified of the new purpose, and subject to your consent (where appropriate), that new purpose will be included as a purpose included in this Policy.

Yum takes reasonable steps to ensure that Personal Information is reliable for its intended use; as well as being current, accurate, and complete. As part of maintaining Personal Information which is accurate, current, and complete; we need your help. If you know that your Personal Information which you have provided to us is no longer accurate or complete, please let us know by updating your Personal Information on the Site, or contacting us via the point of contact described below. Yum cannot be responsible for the accuracy or completeness of information whose source Yum does not control.

We will normally retain Personal Information as long as necessary for the fulfillment of the purposes identified in this Policy. However, some Personal Information may be retained for longer periods as required by law, contract, or auditing requirements.

## **SECURITY**

To prevent unauthorized access, maintain data accuracy, and ensure the correct use of your Personal Information, we have put in place, and have required all service providers to put in place, certain reasonable physical, electronic, managerial and security procedures to safeguard and secure the Personal Information collected through the program. As noted below, it is very important that you maintain the secrecy of your password.

## **ACCESS**

Upon request, you have the right to reasonable access to review your Personal Information maintained in The Learning Zone database. If you believe any of your Personal Information is incorrect, contact your manager. Your employer, Yum and its service providers will take reasonable steps to assist in the correction, amendment, or deletion of the Personal Information that is demonstrated to be inaccurate or incomplete.

However, there are some circumstances where Yum cannot grant an individual access to Personal Information. Yum will not provide access or correction rights to an individual where the granting of such access or correction rights will impose a burden on Yum to provide such access or correction that is disproportionate to the risk to the individual's privacy; or where the access to the individual's Personal Information places another individual's privacy rights at risk. If Yum does not allow the individual the right of access or correction under this section, we will provide the impacted individual with the reasons why they are not permitted such access.

## **ENFORCEMENT AND DISPUTE RESOLUTION**

Yum will conduct compliance audits of its privacy practices to verify adherence to this Policy. All reported breaches or potential breaches will be investigated by appropriate personnel of Yum, who will take such action as deemed appropriate in the investigation.

Any questions or concerns regarding the use or disclosure of Personal Information collected or used as it relates to The Learning Zone program should be directed to the Yum! Privacy Department [PrivacyPolicy@yum.com](mailto:PrivacyPolicy@yum.com). Yum will investigate and attempt to resolve complaints and disputes regarding use and disclosure of Personal Information in accordance with the principles contained in this Privacy Policy. In addition to such investigations, we monitor adherence to this Privacy Policy and investigate suspected infractions. Any employee that is determined to be in violation of this Privacy Policy or misuses The Learning Zone, including an employee's disclosure of his/her password to other individuals or allowing other individuals to access the Talent zone on his/her behalf, will be subject to disciplinary action, which may include termination.

It is possible, under certain circumstances for individuals to resolve disputes or complaints concerning this policy through binding arbitration. Yum has agreed to work with JAMS in order to resolve any disputes or complaints concerning this policy that cannot be resolved directly with Yum. Information about JAMS' Privacy Shield dispute resolution program and how to file a claim can be found at:

**<https://www.jamsadr.com/eu-us-privacy-shield>.**

Yum's privacy practices and its self-certification under the Privacy Shield Framework is subject to the investigatory and enforcement powers of the Federal Trade Commission. As the Personal Information collected and processed via the Site is considered human resources data under the Privacy Shield Framework, Yum has agreed to cooperate in investigations by, and comply with the advice of, the appropriate EU authorities in managing any dispute. If you have questions or complaints regarding the use or disclosure of Personal Information in compliance with the principles of this privacy policy, you should contact us first. If contacting us does not resolve your concern or

complaint, you may raise your complaint with the relevant data protection regulator where you live or you may work.

## **CHANGES TO THIS POLICY**

We may update this privacy policy to reflect changes to our information practices. If we make any material changes we will notify you by means of a notice on this site prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

## **CONTACT INFORMATION**

Questions or complaints regarding this privacy policy should be submitted to us by email at [PrivacyPolicy@yum.com](mailto:PrivacyPolicy@yum.com) or by writing to the following address:

Yum! Brands, Inc.  
Attn: Law Department – Privacy Policy  
1441 Gardiner Lane  
Louisville, KY 40213

Effective Date: January 18, 2017