

Amyris, Inc. Employee, Independent Contractor and Job Applicant Privacy Notice**Effective Date of Current Notice: January 1, 2020****1. PURPOSE AND SCOPE**

At Amyris, we value and respect Personal Information of Employees, Applicants and Independent Contractors. This Privacy Notice (“**Privacy Notice**”) applies to information collected, processed, or stored by Amyris, Inc., and its Affiliates (“Amyris”) that is received and collected when you submit your job application online in Amyris.com, the corporate recruitment websites for Amyris and during your employment with Amyris (including when you are redirected to this corporate recruiting website while browsing job opportunities posted at the Biossance, Pipette or Purecane online stores). This Privacy Notice sets out the basis on which Amyris Processes the Personal Information that you provide to us and that we collect in the course of employment, an Independent Contractor relationship, or considering your application for employment with Amyris.

“**Personal information**” is data that identifies you or that makes you identifiable. It includes data that could be used to identify, locate, track or contact you. Other defined terms in this Privacy Notice that are capitalized are defined in Section 11 below.

In other countries (including Brazil and Portugal), Amyris will provide other privacy notices to Amyris Employees, Applicants and Independent Contractors, and where applicable, consent will be obtained, to ensure compliance with local requirements.

2. PERSONAL INFORMATION WE COLLECT IF YOU ARE AN EMPLOYEE, CONTRACTOR, APPLICANT, OR FORMER EMPLOYEE:

If you are an Employee, Independent Contractor, Applicant or former Employee, Amyris collects Personal Information as follows. The types of Personal Information we Process will vary depending on your role, your application, your location, the job location, and the conditions attached to the role (if any).

- a) **Applying to work at Amyris:** If you apply to work at Amyris, we process Personal Information about you and your professional experience, education and training such as your application, your name (and any former names), postal address, email address, phone number, universities attended, academic degrees obtained, grades, professional certifications and licenses, employment history, and curriculum vitae or resume. We may receive or collect other information you choose to disclose during the interview process, whether in verbal or written form, and opinions generated during the interview process.

We also collect Sensitive Personal Information you may provide in your employment application, such as details of health and disability, information about national origin or immigration status, and optional demographic information such as race, gender, or veteran status. When first submitting an online application, we request applicants not to include highly sensitive Personal Information, such as a social security number, driver’s license number, or government issued identification number or account number.

- b) **Offer of employment or offer of independent contract:** Prior to making an offer of employment or to signing an agreement with an Independent Contractor, we process Personal Information to conduct professional reference checks in accordance with applicable laws. If we extend an offer of employment at Amyris to you or sign an agreement regarding your service as an Independent Contractor, we will process Personal Information about the position to which you have been appointed, your job title at Amyris, the compensation or project-based contractor rate we offer to you, whether you accept the offer, your signature, and your starting compensation or project-based contractor rate, and your start date at Amyris.

- c) **Employment-Related Background checks:** Prior to commencement of your employment with us, we engage service providers to conduct background checks that involve the necessary Personal Information processing as permitted by the laws in the location in which you reside and/or work. Amyris also reserves the right to conduct background checks on Independent Contractors. More details are provided to you in the context of our request to you to complete these checks.
- d) **As an Employee or Independent Contractor of Amyris:**
- a. We may process Personal Information about your benefits, nationality, residency status, email address, office or other workplace location, work phone number, mobile phone number, photographs, passport, visas, marital status, beneficiaries, emergency contact details, financial account information, social security number or other government-issued identification number, holiday and paid time off days, salary, incentive compensation, Amyris stock options granted, Amyris stock ownership, assigned projects, performance against your assigned goals, training completed, any performance improvement plans, any disciplinary actions taken, system accounts, technology and physical assets provided to you, your role and actions taken in connection with Amyris projects and processes.
 - b. Amyris may monitor and review full-time and temporary Employees' uses of Amyris' information technology systems and networks and in accordance with applicable laws and the Amyris Employee Handbook. Please see the Information Technologies Policies section of the Amyris Employee Handbook (as amended from time to time) for more information on our policies concerning appropriate use of Amyris' information technology systems.
 - c. Amyris may monitor and review Independent Contractors use of Amyris' information technology systems and networks in accordance with applicable laws and Amyris Information Technology Policies set forth in the Independent Contractor agreement with Amyris.
 - d. **Surveys and Contests.** From time to time, we may ask Employees to participate in surveys and contests. If you decide to participate, we may use, or you may be asked to provide, certain information which may include Personal Information. All information provided by you by participating in our surveys and contests is provided by you voluntarily. We may use such information consistent with this Privacy Notice and the terms of such surveys and contests.
 - e. **Automatic Data Collection.** Amyris may collect certain information automatically through the course of your employment or your Independent Contractor relationship, such as your Internet protocol (IP) address, other device identifiers associated with your computer or device, mobile carrier and related information, activity logs, CCTV or surveillance footage, and other information about activities you engage in on Amyris property, equipment, accounts or networks.
- e) **If your employment with Amyris or Independent Contractor relationship with Amyris ends,** we process Personal Information necessary to separate you from Amyris, including deactivation of your access to our systems, fulfilling our financial, benefits, and related obligations with respect to the separation of your service with Amyris.

Amyris may also collect Personal Information as follows:

- **Communications with Us.** We may collect Personal Information from you such as email address, phone number or mailing address when you choose to request information about Amyris or otherwise communicate with us.

- **Information from Other Sources.** We may collect and receive information about you from other sources, including through third party services and organizations to supplement information provided by you. This supplemental information allows us to verify information that you have provided to Amyris.

3. HOW AMYRIS USES YOUR INFORMATION

If you are an Employee, Independent Contractor, Applicant, or former Employee, we acquire, hold, use and Process Personal Information for a variety of business purposes including:

a) If you have an Independent Contractor contract or other agreement with us, we process Personal Information about you related to specific rights and obligations under the applicable contract or agreement such as:

- Payment of project fees to contractors;
- Managing performance obligations, where applicable;
- Where it is necessary for the establishment, exercise or defense of legal claims.

b) Our legitimate interests. We process Personal Information about you based on our legitimate interests to establish and manage our relationship with and responsibilities to you and for effective operation of our business, such as to:

- To assess your suitability, aptitude, skills, qualifications, and interests for employment or as Independent Contractor with Amyris (as applicable);
- To communicate with you about the application process and/or your application;
- To assist you with obtaining an immigration visa or work permit (where required and requested by you);
- To comply with our legal obligations, for example:
 - Conducting right to work verifications OR work authorization verification;
 - Administer payroll;
 - Benefits administration;
 - Award and pay incentive compensation;
 - Invoice payments;
 - Maintaining corporate, financial and other essential business records and reporting;
 - Evaluating financial and operational performance; and
 - Managing compliance, including, but not limited to our privacy, security, accounting, labor and employment, and other legal and regulatory obligations
- To evaluate Applicants' performance in interviews, carrying out background checks to verify your identity and qualifications and experience;
- To take steps at your request prior to commencement of an employment relationship with you (for example, after we have sent you an offer, we need to Process certain Personal Information in order to enter into and then perform the employment relationship);
- Manage team and cross-functional communications and collaboration;
- To Process Personal Information as you otherwise agree or consent (for example, to consider your voluntarily submitted resume and curriculum vitae);
- Management of Amyris stock options pursuant to stock option agreements;

- Management of stock ownership pursuant to stock purchase and related agreements;
- Where it is necessary for the establishment, exercise or defense of legal claims; and
- Ensure the security and safety of the workplace and the tangible and intangible assets for which we are responsible.

4. ONWARD TRANSFER—AMYRIS MAY DISCLOSE YOUR INFORMATION

4.1 INFORMATION WE SHARE

We may share your information as described in this Privacy Notice with our third-party service providers, to comply with legal obligations, to protect and defend our rights and property or with your permission.

- **We Use Vendors and Service Providers.** We may share any information we receive with vendors and service providers to assist us in the uses described above. Amyris requires our Vendors and Service Providers to agree in writing to maintain the confidentiality and security of Personal Information they receive from or through us and not to use it for any purpose other than the purpose for which Amyris provided them.
- **Disclosures to Protect Us or Others as Required by Law and Similar Disclosures.** We may access, preserve, and disclose your Personal Information, other Account information, and content if we believe doing so is required or appropriate to: (i) comply with law enforcement or national security requests and legal process, such as a court order or subpoena; (ii) respond to your requests; (iii) protect yours, ours or other’s rights, property, or safety; (iv) enforce Amyris policies or contracts; or (v) prevent physical harm or financial loss or in connection with an investigation or prosecution of suspected or actual illegal activity when we believe disclosure is necessary or appropriate.
- **Merger, Sale, or Other Asset Transfers.** If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of company assets, or transition of service to another entity, then your information may be transferred as part of such a transaction as permitted by law and/or contract.

4.2 INTERNATIONAL DATA TRANSFERS

By submitting information to us, you agree that all information may be transferred, Processed, and stored anywhere in the world, including but not limited to, Brazil, the United States, the European Union. Personal Information may be stored in the cloud, on our servers, on the servers of our Affiliates, or the servers of our service providers.

5. GENERAL OPT-OUT (RIGHT TO OBJECT TO PROCESSING AND WITHDRAW CONSENT)

You may have the right to opt out of and object to certain uses and disclosures of your Personal Information. Where you have consented to Amyris’s Processing of your Personal Information or Sensitive Personal Information, you may withdraw that consent at any time and opt-out to further Processing by contacting us as set forth below. However, if you choose to withdraw your consent or opt-out, it may impact our ability to consider your application for employment, your contractor agreement with Amyris or your employment with Amyris.

6. RIGHTS OF ACCESS, RESTRICTION, RECTIFICATION, AND ERASURE

In accordance with applicable law, you may have the right to: (i) request confirmation of whether we are Processing your Personal Information; (ii) obtain access to or a copy of your Personal Information; (iii) receive an electronic copy of Personal Information that you have provided to us, or ask us to send that information to another company (the “right of data portability”); (iv) restrict our uses of your Personal Information; (v) seek correction of inaccurate, untrue or

incomplete Personal Information; and (vi) request erasure of Personal Information held about you by Amyris, subject to certain exceptions prescribed by law. If you would like to exercise any of these rights, please contact us as set forth below. Amyris will not discriminate against you for exercising any of the foregoing rights.

We will process the requests you make related to your rights as the law allows, which means in some cases there may be legal or other official reasons that we may not be able to address the specific request you make related to your rights to protect your privacy, Amyris will take steps to verify your identity before fulfilling your request.

7. DATA RETENTION

Amyris retains the Personal Information we receive as described in this Privacy Notice for as long as necessary to fulfill the purpose(s) for which it was collected, resolve disputes, establish legal defenses, conduct audits, maintain necessary records for legal, financial, compliance, or other reporting obligations, pursue legitimate business purposes, enforce our rights agreements, and comply with applicable laws. We also may keep data about you for statistical analysis or research purposes.

8. SECURITY OF YOUR INFORMATION

We maintain physical, technical, and administrative safeguards to protect Personal Information against loss, misuse, and unauthorized access, alteration, disclosure or destruction and ensure that your information is treated securely and in accordance with this Privacy Notice. Unfortunately, we and third parties we work with cannot ensure or warrant the security of any information you provide to us. To the fullest extent permitted by applicable law, we do not accept liability for unintentional disclosure.

9. REDRESS/COMPLIANCE AND ACCOUNTABILITY

If you have any questions about our privacy practices or this Privacy Notice, please contact Amyris by email at privacy@amyris.com. You also may write to the following address: Amyris, Inc., 5885 Hollis St, Suite 100, Emeryville, CA 94608. We will address your concerns and attempt to resolve any privacy issues in a timely manner.

If we need, or are required, to contact you concerning any event that involves your Personal Information we may do so by email, telephone, or mail.

10. CHANGES TO OUR PRIVACY NOTICE AND PRACTICES

We may revise this Privacy Notice from time to time in our sole discretion. If we do, we will post the updated Privacy Notice on our Job Application page and the Amyris Intranet. We also may post a notice on the Amyris website or send an email describing the changes if the revised Privacy Notice changes in any material way.

11. DEFINITIONS

The following capitalized terms shall have the meanings herein as set forth below.

- **“Affiliate”** means, with respect to Amyris, any corporation or other business entity Controlled by, Controlling or under common Control with that Party, whereby Control means (i) the direct or indirect ownership of 50% (fifty percent) or more of the equity interest in such corporation or business entity, or (ii) the ability in fact to control the management decisions of such corporation or business entity. Amyris Affiliates for purposes of this Privacy Policy are: Amyris Clean Beauty, Inc., and Aprinnova, LLC.
- **“Applicant”** refers to any current, prospective, or former candidate for employment with Amyris or its Affiliates.

- **“Employee”** refers to any current, temporary, permanent, or former Employee, director, worker, or retiree of Amyris, its Affiliates.
- **“Independent Contractor”** means an individual performing services pursuant to a services or consulting agreement with Amyris.
- **“Process”** or **“Processing”** means any operation which is performed upon Personal Information, whether or not by automatic means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.
- **“Sensitive Personal Information”** is a subset of Personal Information which, due to its nature, has been classified by law or by policy as deserving additional privacy and security protections, for example, (1) race or ethnic origin; (2) political opinions; (3) religious or philosophical beliefs; (4) trade union membership; (5) genetic data; (6) biometric data where Processed to uniquely identify a person; (6) health information; (7) sexual orientation or information about the Individual’s sex life; or (8) information relating to the commission of a criminal offense.