

## PRIVACY NOTICE FOR CALIFORNIA RESIDENTS

Effective as of January 1, 2020

**THIS PRIVACY NOTICE FOR CALIFORNIA RESIDENTS** supplements the information contained in James Hardie’s Privacy Policy and applies to consumers, users, and others who reside in the State of California (“consumers” or “you”), effective January 1, 2020. James Hardie Building Products Inc. (“James Hardie,” “we,” “our,” “us”) has adopted this notice to comply with the California Consumer Privacy Act of 2018 (“CCPA”) and any terms defined in the CCPA have the same meaning when used in this notice. This Privacy Policy contains a comprehensive description of our online and offline practices regarding the collection, use, and disclosure of personal information and of the rights of California residents regarding their personal information.

### 1. Information We Collect

We collect the following categories of personal information as indicated with a check mark below:

	Category	Examples	Collected (Y/N)
A.	Identifiers	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers.	Yes
B.	Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, address, telephone number, credit card number, debit card number, or any other financial information. Some personal information included in this category may overlap with other categories.	Yes
C.	Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	No
D.	Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	Yes
E.	Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	No

F.	Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	Yes
G.	Geolocation data.	Physical location or movements.	Yes
H.	Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	No
I.	Professional or employment-related information.	Current or past job history or performance evaluations.	No
J.	Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	No
K.	Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	No

Personal information does not include:

- Publicly available information from government records;
- Deidentified or aggregated consumer information; or
- Information excluded from the CCPA's scope, like certain health or medical information and other categories of information protected by different laws.

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete or information you request on our website.
- Indirectly from you. For example, from observing your actions on our website.

## 2. Use of Personal Information

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the reason you provided the information. For example, if you share personal information with us in order to request a quote, brochure, product sample, catalogue, to register for one of our programs or promotions, submit a warranty claim, ask a question or similar action, we will use that personal information to respond to your inquiry, provide you support and/or or address your request.

- To detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, and prosecute those responsible for that activity.
- To debug to identify and repair errors that impair existing intended functionality.
- For short-term, transient use, provided that the personal information that is not disclosed to another third party and is not used to build a profile about a consumer or otherwise alter an individual consumer's experience outside the current interaction, including, but not limited to, the contextual customization of ads shown as part of the same interaction.
- To performing services, including maintaining or servicing accounts, , providing advertising or marketing services, providing analytic services, or providing similar services.
- To provide you with personalized content.
- To improve the content and navigability of the Website.
- To alert you to new Website features, special events, products and services.
- To enforce the Terms and Conditions.
- For testing, research, analysis and product development.
- To conduct sales, marketing and promotional campaigns.
- To better understand the preferences of our customers and clients in the markets in which we operate.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- In the future, we may sell some or all of our assets. In such transactions, customer information generally is one of the transferred business assets. In the event of a sale of our assets including our database, customer information will be transferred.

We will not collect additional categories of personal information or use the personal information we collect for materially different, unrelated, or incompatible purposes without providing you notice.

### **3. Sharing Personal Information**

We may disclose your personal information to a third party for a business purpose, such as to fulfill a product sample request or installation quote. When we disclose personal information for a business purpose, we generally enter into a contract or arrangement that describes the purpose and provides that all personal information disclosed pursuant to the contract or arrangement is kept confidential and not use for any purpose except performing the contract.

We may share your personal information with the following categories of third parties:

- Our affiliates;
- Service providers; and
- Third parties to whom you or your agents authorize us to disclose your personal information in connection with products or services we provide to you.

The following is a list of categories of personal information that we have disclosed for a business purpose or may have otherwise sold in the 12 months preceding the Effective Date of this Privacy Policy:

- Identifiers;
- Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e));
- Commercial information;
- Internet or other similar network activity; and
- Geolocation data.

We do not sell the personal information of minors under 16 years of age without affirmative authorization.

#### **4. Your Rights and Choices**

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

##### *Access to Specific Information and Data Portability Rights*

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable request, we will disclose to you:

- The categories of personal information we have collected about you;
- The categories of sources for the personal information we have collected about you;
- Our business or commercial purpose for collecting that personal information;
- The categories of third parties with whom we share that personal information;
- The specific pieces of personal information we have collected about you (also called a data portability request);
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
  - sales, identifying the personal information categories that each category of recipient purchased; and

- disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

### Deletion Request Rights

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the personal information, provide a product or service that you requested, or take actions reasonably anticipated within the context of our ongoing business relationship with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

### Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable request to us by either:

- Calling us at 866-274-3464
- Emailing us at [dpo@jameshardie.com](mailto:dpo@jameshardie.com)

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we have collected personal information or an authorized representative.

- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. We will only use personal information provided in a verifiable request to verify the requestor's identity or authority to make the request.

#### Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time, we will inform you of the reason and extension period in writing. We will deliver our written response by mail or electronically, at your option. Any disclosures we provide will only cover the 12-month period preceding the verifiable request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded.

#### Personal Information Sales

You have the right to direct a business that sells (or may in the future sell) your personal information to stop selling your personal information and to refrain from doing so in the future. You may exercise your opt-out and opt-in regards required by the CCPA via the contact methods described about over the opt-out notifications on the Website.

### **5. Non-Discrimination**

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services;
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties;
- Provide you a different level or quality of goods or services; or
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

### **6. Other California Privacy Rights**

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [dpo@jameshardie.com](mailto:dpo@jameshardie.com) or write to us at 26300 La Alameda, Suite 400, Mission Viejo, California 92691.

## **7. Changes to Our Privacy Notice**

We reserve the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on our website and update the notice's effective date. **Your continued use of our website following the posting of changes constitutes your acceptance of such changes.**

## **8. Accessibility**

We are committed to ensuring this Privacy Policy is accessible to individuals with disabilities. If you wish to access this Privacy Policy in an alternative format, please contact us as described below.

## **9. Contact Information**

If you have any questions or comments about this notice, the ways in which we collect and use your information described below and in our Privacy Policy, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Phone:** 866-274-3464

**Email:** [dpo@jameshardie.com](mailto:dpo@jameshardie.com)