

PRIVACY NOTICE AT COLLECTION FOR CALIFORNIA EMPLOYEES

Last updated: June 1, 2023

- 1. About this Notice.** This privacy notice sets out how Insmmed Incorporated, and any entity in which Insmmed has a substantial direct or indirect equity interest, including Insmmed Gene Therapy LLC, (collectively “Insmmed” or “we;” “us;” “our”) collects and uses personal information about you in compliance with our obligations under the California Consumer Privacy Act of 2018 (CCPA), as amended by the California Privacy Rights Act of 2020 (CPRA). “Personal information” means any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual.

Insmmed takes the privacy of our employees very seriously. Please read this notice carefully as it contains important information about the personal information that we collect, why we collect it, how long we keep it, and whether it is sold to or shared with third parties. This notice will be updated regularly and supplements other Insmmed related privacy policies and notices, including the [Privacy Policy](#) on our corporate website.

- 2. Personal Information We Collect About You.** We may collect and use the following categories of personal information about you:
 - **Identifiers** such as real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver’s license number, citizenship, passport number, or other similar identifiers.
 - **Personal information** (some of which may also be covered as identifiers or professional/employment-related information as well), meaning any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. “Personal information” does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.
 - **Characteristics of protected classifications under California or federal law** such as race, national origin, age, sex, gender, sexual orientation, pregnancy, familial status, disability, military or veteran status and genetic information.
 - **Commercial information**, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories.

- **Internet or other electronic network activity information** such as browsing history, search history, and information regarding your interaction with internet websites and applications on any company devices.
- **Biometrics.**
- **Geolocation data.**
- **Audio, electronic, visual, or similar information** (such as photographs and call recordings).
- **Professional or employment-related information** such as education, work history, prior employers, employment application, resume/CV, references, qualifications, skills and experience, language, background checks, consumer reports, immigration forms (I-9), employee evaluations, professional certifications, memberships in professional organizations, drug testing results, infectious disease testing results, required vaccinations or immunizations, human resources data, emergency contact information, employee bank and credit card or debit card account numbers for purposes of payroll and expense reports, salary and equity data, benefits data necessary for plan elections, dependents, beneficiaries, documentation provided for leaves such as FMLA, USERRA, or maternity/paternity, OSHA related information, workers' compensation related information, IRS forms (W-2, W-4, etc.) and other tax deduction related information, employment verifications.
- Education information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (FERPA).
- Sensitive personal information, such as social security, driver's license, state identification card, or passport number; account log-in, financial account, debit card, or credit card number; precise geolocation; racial or ethnic origin; sexual orientation; and health information.

3. How and Why We Use Your Personal Information. We use your personal information for the following purposes:

Managing Human Resource functions:

- Workforce planning
- Recruiting, hiring, and onboarding
- Performing background or credit checks
- Implementing diversity and inclusion initiatives
- Increasing employee engagement
- Training and career development
- Assessing performance
- Determining promotions, transfers, salary, awards, and bonuses
- Managing disciplinary matters

- Managing payroll and business expenses, including travel and expense payment
- Administering leave requests
- Employee communications
- Administration of benefits
- Promoting employee health and safety

Conducting business operations:

- Budgeting
- Recordkeeping and federal/state reporting requirements
- Managing infrastructure and company assets
- Strategic planning
- Maintaining security
- Emergency response and business continuity
- Conducting audits
- Pursuing or defending legal or administrative claims
- Health and safety of employees, partners, clients/customers, and patients

Monitoring:

- Compliance with internal policies and procedures
- Use of company resources
- Any other monitoring activities permitted by applicable laws

Compliance with:

- Legal and regulatory obligations
- Court or other government directives
- Internal policies and procedures

Investigating:

- Reports or complaints of wrongdoing or policy violations

Insmmed does not collect any sensitive personal information for the purpose of inferring characteristics about you. Our use of your sensitive personal information is limited to that use which is necessary to perform the services or to provide the goods requested, or otherwise legally permitted. We do not use or disclose your sensitive personal information for any purpose requiring notice or a method for submitting a request to limit use or disclosure.

4. How Long Your Personal Information Will Be Kept. We will keep your personal information for as long as is necessary while you are employed by us. Thereafter, we will keep your personal information:

- To respond to any questions, complaints or claims made by you or on your behalf; or
- To keep records required by law or as otherwise set forth in our record retention schedule.

We will not retain your personal information for longer than necessary for the purposes set out in this notice. Different retention periods apply for different types of personal information. For details on retention periods, see our Retention Schedule.

5. Consumer Rights. You have certain rights under the CCPA/CPRA, to exercise free of charge. We honor those rights, as described below.

A. Disclosure of Personal Information We Collect About You. On receipt of a verifiable request from you, you have the right to know:

- The categories of personal information we have collected about you, including sensitive personal information;
- The categories of sources from which the personal information is collected;
- Our business or commercial purpose for collecting, selling, or sharing personal information, if applicable;
- The categories of third parties (excluding service providers and contractors) to whom we disclose personal information, if any; and
- The specific pieces of personal information we have collected about you.

Please note that we are not required to provide personal information to you more than twice in a 12-month period.

B. Disclosure of Personal Information Sold, Shared, or Disclosed for a Business

Purpose. In connection with any personal information we may sell or share with a third party, if any, or disclose for a business purpose, if any, on receipt of a verifiable request from you, you have the right to know:

- The categories of personal information about you that we sold or shared and the categories of third parties (excluding service providers and contractors) to whom the personal information was sold or shared, if any; and
- The categories of personal information that we disclosed about you for a business purpose and the categories of persons to whom the personal information was disclosed for a business purpose, if any.

C. Right to Deletion. Subject to certain exceptions set out below, on receipt of a verifiable request from you, we will:

- Delete your personal information from our records;
- Notify any service providers or contractors to delete your personal information from their records; and
- Notify third parties to whom we sold or shared your personal information, if any, to delete your personal information unless this proves impossible or involves disproportionate effort.

Please note that we may not delete your personal information if it is necessary to:

- Complete the transaction for which the personal information was collected, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, provide a good or service requested by you, or reasonably anticipated by you within the context of our ongoing business relationship with you, or otherwise perform a contract between you and us.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for that activity. Help to ensure security and integrity to the extent the use of your personal information is reasonably necessary and proportionate for those purposes.
- Debug to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise that consumer's right of free speech, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act.
- Engage in public or peer reviewed scientific, historical, or statistical research in the public interest that conforms or adheres to all other applicable ethics and privacy laws, when our deletion of the information is likely to render impossible or seriously impair the achievement of ability to complete such research, provided we have obtained your informed consent.
- To enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us and compatible with the context in which you provided the information.
- Comply with a legal obligation.

D. **Right to Correction.** You have the right to request correction of inaccurate personal information maintained by us about you. Upon receipt of a verifiable request from you, we will use commercially reasonable efforts to correct the inaccurate personal information.

We may request documentation from you to determine the accuracy of the information we have maintained. If you provide us documentation either upon our request or through your own initiative, that documentation will only be used or maintained by us for the purpose of correcting your personal information and complying with our recordkeeping requirements under the CCPA/CPRA.

We may deny your request if we have previously denied your same request to correct an alleged inaccuracy in the past six (6) months unless you provide new or additional documentation that the information at issue is inaccurate. As an alternative to correction, we may delete the inaccurate information if it does not negatively impact you or if you consent to this deletion. We reserve the right to deny a request if allowed under law, or if we determine that the contested information is more likely than not accurate, based on the totality of circumstances.

E. **Protection Against Discrimination.** You have the right to not be discriminated against by us because you exercised any of your rights under the CCPA/CPRA. This means we cannot, among other things:

- Deny goods or services to you;
- Charge different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties;
- Provide a different level or quality of goods or services to you;
- Suggest that you will receive a different price or rate for goods or services or a different level or quality of goods or services; or
- Retaliating against an employee, applicant for employment, or independent contractor for exercising their rights.

6. **How to Submit a Verifiable Request to Know, Delete, or Correct.** You may submit a request to us by either:

- Calling us at our Privacy Rights toll-free number: 1-844-4-INSMED (1-844-446-7633)
- Sending us an email at privacy@insmed.com
- Mailing Your request to:

Insmmed Incorporated
700 US Highway 202/206
Bridgewater, NJ 08807
Attention: General Counsel
Tel: (908) 977-9900

You may make a request on your own behalf, and if you are the parent or guardian of a minor child, you also may make a request related to your child's PII.

If you wish to designate an authorized agent to make a request on your behalf, please provide us with 1) a signed declaration stating that your intent is to permit that individual to act on your behalf and include such individual's full name, address, email address, and phone number, and 2) your authorized agent must provide proof that you gave the agent signed permission to submit the request and you must confirm the same with us; or your authorized agent may provide us with a power of attorney pursuant to California Probate Code section

4121 to 4130. That way we will be sure you have fully authorized us to act in accordance with the requests of that individual.

To process a request and to protect your personal information from unauthorized disclosure or deletion at the request of someone other than you or your legal representative, Insmmed must verify that the person requesting information, correction or deletion is the person about whom the request relates. To verify your identity, if you do not have any type of account with us, we may request up to three data elements about you to compare against our records, together with a signed declaration under penalty of perjury that you are the consumer whose personal information is the subject of the request. We cannot respond to your request or provide you with information if we cannot verify your identity.

Making a verifiable consumer request does not require you to create an account with us. We will only use information provided in your request to verify your identity and process your request.

Insmmed reserves the right to take additional steps as necessary to verify your identity where we have reason to believe a request is fraudulent. You may be required to submit documentation in support of a request to correct.

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to 45 additional days), we will inform you of the reason and extension period in writing.

- 7. Contact.** If you have any questions or concerns about this notice or the information we collect about you, please email privacy@insmed.com or contact your Human Resources Business Partner.