



Notification of Energy Complex Company Limited

PS/0014/65

Privacy Notice - Employees

Energy Complex Co., Ltd. (“**Company**”) is aware of the significance and duties under the Personal Data Protection Act 2019 (B.E. 2562). The company prioritizes privacy and is determined to protect your data to ensure that your data and third-party data are protected under the personal data protection law and other relevant laws during recruitment, employment, and after leaving the company. Therefore, the company announces this privacy notice to inform the details concerning the data collection, use, and disclosure (**collectively called “processing”**) and the legitimate rights of the data subjects as per the following details.

No 1. Types of persons to collect personal data

This privacy notice covers the personal data of applicants and company personnel, such as directors, advisors, executives, current employees, former employees, trainees, and any persons related to the company personnel, such as employee’s family members, emergency contact person, and beneficiary.

The term “**Applicant**” refers to a person applying for a job, an employee under outsourced employment, and a freelance working for the company, as the case may be. The application may be processed by the applicant, the internal application, via the recommendation of other persons, or the outsourcing service.

“**Employee**” refers to an applicant selected to sign the contract to work for the company as an employee, whom the shareholder sends to perform work at the company, who is under the employment of outsourcing, and a freelance who comes to work in the company.

No 2. Personal data refer to:

2.1 “Personal data” refers to data concerning an individual that can identify the person directly or indirectly but not including data of a deceased person, such as name, surname, nickname, date of birth, address, phone number, ID card number, disabled person ID card number, passport number, social security number, driving license number, tax number, bank account, credit card number, e-mail, car registration number, motorbike registration number, land title deed, IP Address, Cookie ID, and Log File.

However, the following data is not considered personal data: business information contact that does not identify the person, such as the company name, company address, legal entity number, work phone number, work e-mail, workgroup e-mail such as info@company.co.th, anonymous data or pseudonymous data that become anonymous by the technical technique, and data of a deceased person.

2.2 “Sensitive data” refers to personal data concerning race, ethics, political opinions, beliefs, religions or philosophies, sexual behaviors, criminal records, health information, disability, labor union information, genetic information, biometric information, or other data that have a similar effect on the data subject as determined by the Personal Data Protection Committee. The company must operate the data carefully. The company shall collect, use, and/or disclose the sensitive data when receiving consent or, if necessary, for the proceeding allowed by law.

Hereinafter in this privacy notice, if there is no specification of “personal data” and “sensitive data” concerning the service user, they are collectively referred to as “**personal data.**”

No 3. Collecting personal data

The company stores personal data as necessary based on the objective of the data’s use, and the company shall inform you afterward. Company-collected personal data are categorized as follows.

3.1 For applicants

Type of Personal Data	Collecting Details
Personal data (basic)	For example, title, name, surname, nickname, gender, photo, weight, height, date of birth, age, nationality, ID number, current address, permanent address, e-mail, phone number, marriage status, military status, education, and work experience.
Sensitive data	For example, health information, criminal data, race, religion that has your explicit consent or is allowed by law.
Other data	For example, personal background (Resume/Curriculum Vitae (CV)), learning background, skills and competency, licenses, test or interview results, and CCTV record on the interview day.
Data from third parties	For example, spouse, family members, reference or emergency contact person. Personal data, such as name, surname, relationship, phone number, and other data are collected as necessary.

3.2 For company employees and personnel

Type of Personal Data	Collecting Details
Personal data (basic)	For example, title, name, surname, nickname, gender, photo, weight, height, date of birth, age, nationality, ID number, passport number, social security number, driving license number, tax number, bank account, personal loan account, car registration number, current

Type of Personal Data	Collecting Details
	address, permanent address, e-mail, phone number, marriage status, military status, education, and work experience.
Sensitive data	For example, health information, criminal data, race, religion, blood type, facial recognition that has your explicit consent or is allowed by law.
Employment data	For example, employee ID, position and level, department, employment status, start date, last date, working year, performance, wage and compensation, work attendance, overtime work, leave record, training, provident fund, welfare reimbursement, work and absence information, disciplinary record, reason of resignation, probation evaluation, work performance evaluation, annual salary increment and bonus, promotion, appointment, transfer, and disciplinary consequence.
Other data	For example, personal background (Resume/Curriculum Vitae (CV)), learning background, skills and competency, licenses, test or interview results, communication record via social media, financial information, opinions, location, machine number, voice recording, CCTV record, slides or video from company's activities, and other data that are considered personal data based on the law.
Data from third parties	For example, spouse, family members, reference or emergency contact person, and beneficiary. Personal data, such as name, surname, relationship, phone number, and other data are collected as necessary.

No 4. Sources of personal data

4.1 Direct sources

During the recruitment process, we collect information through the application form, questionnaires, and interviews. We also gather data from other employment procedures and during the employment period with the company.

4.2 Other sources

The company may collect your personal data from various sources, as necessary and allowed by law, including agencies, job application websites, references, background checks, navigation systems, and networks.

4.3 Personal data of the third person

The company may receive the data of a third person who relates to you directly, such as a spouse, child, father, mother, family member, emergency contact person, beneficiary, reference person, or former employer. The company uses the data to arrange welfare and benefits for you, for emergency contact, or for reference. Please inform this privacy notice to such person for their acknowledgment and consent unless there is a legal regulation that the company can disclose the third party's personal data without consent.

No 5. Objectives of personal data collection, use, and disclosure

The company collects, uses, or discloses your personal data with the objectives under the following data processing principles.

5.1 Contractual Basis To comply with the contract that you are the signatory of, such as an employment contract or other contracts, or to execute your request/application before signing a contract, as the case may be.

5.2 Legal Obligation To perform the obligation determined by the law, such as the civil and commercial code, labor protection law, social security law, compensation law, labor relations law, provident fund law, taxation law, anti-money laundering law, laws concerning state enterprise, and computer law.

5.3 Legitimate Interest For the legitimate interest under the expected and reasonable scope that does not violate your basic rights and freedom.

5.4 Consent The company must obtain consent when required by law for personal data processing.

Objectives for the applicant

The company collects, uses, or discloses your personal data under the following objectives.

Operational Objective	Details	Fundamental of Data Processing
1. For the recruitment procedure	To select an applicant, follow procedures to evaluate the appropriateness for the position, such as application, testing, interview, evaluation, selection, and employment proposal.	<ul style="list-style-type: none">• Contractual Basis• Legitimate Interest
2. To check the background and qualifications before employment	<ol style="list-style-type: none">1) To examine the work background or work application with the company.2) To evaluate the competency or qualifications under the law, such as professional	<ul style="list-style-type: none">• Contractual Basis• Legitimate Interest• Consent

Operational Objective	Details	Fundamental of Data Processing
	qualifications, health record, criminal record, and query with the reference person.	
3. For the internal management concerning the employment procedure	Regarding employment procedures, such as passing or reporting applicant data to authorized personnel or relevant departments, and internal procedures for employment contracts, training, and new employee processes.	<ul style="list-style-type: none"> • Contractual Basis • Legitimate Interest
4. To consider the appropriate positions in the future	For your interest if you fail to gain the applied position. The company shall retain your personal data for one year for consideration and contact you if there is any appropriate future vacancy.	<ul style="list-style-type: none"> • Legitimate Interest
5. For security in buildings or premises, including the assigned buildings or areas for management	For safety and risk assessment, visitors must obtain passes and be recorded by CCTV before entering the office or branch.	<ul style="list-style-type: none"> • Legitimate Interest

Objectives for the company's employee or personnel

The company collects, uses, or discloses your personal data under the following objectives.

Operational Objective	Details	Fundamental of Data Processing
1. For processing procedures and steps according to the employment contract or other contracts related to the employment between you and the company	1) For the procedures and steps throughout the employment period, such as making the employee registration, employee database, employee ID card, probation evaluation, employee information update, day off, annual leave, and leave management, pregnancy notice, certificate letter request, resignation, and the executions as requested.	<ul style="list-style-type: none"> • Contractual Basis • Legitimate Interest • Consent

Operational Objective	Details	Fundamental of Data Processing
	<p>2) For the human resources proceeding, such as training, proficiency development, job assignment, authorization, appointment, job transfer, job rotation, organizational structure adjustment, performance evaluation, job position adjustment, salary adjustment, bonus payment, and support career advancement and succession planning.</p> <p>3) To check and authenticate your identity, such as facial recognition data, which has your consent or as allowed by law, to access the company areas.</p>	
<p>2. For compensation, welfare, and benefits processing</p>	<p>1) To process the wage and other compensation payments, such as checking time IN/OUT, overtime working or working on a day off, leave records, absence or duty neglect, salary and compensation calculation and payment.</p> <p>2) To arrange welfare and benefits, such as annual health check, health insurance for employee and family members, provident fund, housing loan, emergency loan, and grants. The company may pass on personal data and your third-party's data to the service provider of the above welfare.</p>	<ul style="list-style-type: none"> • Contractual Basis • Consent
<p>3. To comply with the relevant laws</p>	<p>1) To comply with legal requirements, certain tasks must be performed such as registering employees, deducting and remitting taxes and social security contributions, garnishing and remitting salaries, bonuses, and other forms of compensation in accordance with garnishment or remittance notices, and executing student loan funds.</p> <p>2) To form a welfare committee, safety committee, safety employee, and to organize the activities as required by law.</p>	<ul style="list-style-type: none"> • Legal Obligation

Operational Objective	Details	Fundamental of Data Processing
	<p>3) To consider the leave or medical information regarding health, incompleteness, or disabilities to protect the labor, and provide the assistance in case of work injury for health and safety in the workplace.</p>	
<p>4. To support the data and procedures in the company</p>	<p>1) To report, analyze, keep statistics of finance and business for management, budget planning, accounting management, and business planning.</p> <p>2) To provide data to execute the procedures in the company which your personal data might be sent to a relevant department as necessary under the objectives of each procedure.</p> <p>3) To determine the rights to use the systems and access personal data, and support tools and equipment to accommodate work operation.</p> <p>4) To handle company properties given to the employee, such as pass card, key, mobile phone, computer/laptop, and car.</p> <p>5) To deal with travel or accommodation related to work, travel allowance request for off-site work, travel allowance request, and other expenses request related to work.</p>	<ul style="list-style-type: none"> • Contractual Basis • Legitimate Interest
<p>5. To operate in-house and off-site activities for employees</p>	<p>1) To organize or participate in in-house or off-site activities and announce the result of public relations activities that may use personal data, such as your name, surname, photos or motion pictures from activities that are published under the objective of each activity.</p> <p>2) To organize training, seminar/work study trips, and outside activities to enable you. The company may disclose your personal data as necessary to the outside service provider to</p>	<ul style="list-style-type: none"> • Contractual Basis • Legitimate Interest

Operational Objective	Details	Fundamental of Data Processing
	<p>arrange a bus, meals, accommodation, and venues.</p> <p>3) To test understanding and knowledge, complete a questionnaire or survey on your opinions and evaluate the test or survey results.</p>	
6. For supervision and risk management	<p>1) To examine communications regarding work, the company must reserve the right to examine and monitor communications via an electronic channel through the network account or company's device given to you for work to ensure that you use the company's information technology correctly, legally, and follow the company policy.</p> <p>2) To monitor work performance efficiency to comply with the company's rules and regulations.</p>	<ul style="list-style-type: none"> • Legal Obligation • Legitimate Interest
7. For safety in buildings and premises, including the assigned buildings and premises for management	<p>1) To maintain the safety in buildings and premises and for safety risk assessment, including the request for card issue to work in the company's premise, visitors pass, car sticker request, company access data recording, and video recording inside buildings or offices of the company via CCTV.</p> <p>2) To communicate when necessary or in an emergency, such as to notify an incident to the employees and probation employees.</p> <p>3) For consideration in a case of illness or injury of an employee or other person.</p>	<ul style="list-style-type: none"> • Legitimate Interest
8. To manage data of a former employee	<p>1) To administrate the business continuity, understand, and keep evidence of decisions under an employee's duties, and maintain the knowledge after employee leaves the company.</p> <p>2) The company may ask an employee to fill out the questionnaire to understand their decision to resign from the company. The company must</p>	<ul style="list-style-type: none"> • Legitimate Interest

Operational Objective	Details	Fundamental of Data Processing
	<p>use the data to analyze and improve procedures and employee retention.</p> <p>3) The company shall store personal data for ten years at the maximum from employee's last day of employment for the purpose of proofing in case of dispute within the prescription period as required by law.</p>	

No. 6 Disclosure of personal data

6.1 Personal data may be disclosed or sent to departments in the company with roles under the objective only of processing the procedures, management, and internal communication. The employee or team may access your personal data as necessary.

1. Human Resources staff or other relevant departments. The right to access shall be determined according to responsibilities and duties.
2. Executive or direct superior, who is responsible for the management or making decisions about you or when related to personnel affairs.
3. Support departments or teams, such as digital, accounting, and finance.

6.2 The company may disclose your personal data (as necessary only) to outside personnel or organizations according to the objectives prescribed in this policy. The outside personnel or organizations may be located in Thailand or abroad.

1) Subsidiaries, joint ventures, and companies in the PTT Group

The company may share your personal data with the companies in the PTT Group and joint ventures for risk management, data exchange, and internal audits.

2) Outsiders who are service providers related to the company's operation

The company may disclose your personal data to such persons, whether they are the data controller or processor, such as the bank that provides the information technology service, Cloud and data storage service providers, application providers, hospitals, survey and analysis service providers, and translation service providers.

3) Relevant government authorities

The company may disclose your personal data to the state officers and government authorities who have the legal authority to protect the rights of the company, others, or your interest and to respond to the request of the government authorities, such as the State Audit Office of the Kingdom of Thailand, Office of the National Anti-Corruption Commission, Department of Disease Control, Royal Thai Police, Court of

Justice, Revenue Department, Department of Mineral Fuels, Department of Consular Affairs, embassy, Legal Execution Department, Department of Labor Protection and Welfare, Student Loan Fund, Social Security Office, Department of Skill Development, and Department of Labor Employment. The company shall send your personal data only if the recipient complies with the law and the company sees fit.

4) Outside people or organizations

The company may disclose your personal data to outside people or organizations, such as a professional advisor (legal advisor, outside auditor) and outside organizations that the company would like to publicize or process activities as stated above. In this case, the company receives your consent to disclose the data to outside organizations. For example, the company may disclose your personal data to your new employer to certify your current employment, your transactions with outside organizations, and your previous educational institute to develop the education quality and standard or the graduate quality research project.

No. 7 Sending or transferring personal data abroad

7.1 The company may transfer an employee's personal data to another country if it is necessary for a contractual agreement and the employee is a signatory or for the employee's benefit or to process their pre-employment request. Personal data may also be transferred to prevent harm to the employee's life, body, or health, comply with the law, or execute a mission for the public interest.

7.2 The company may collect an employee's data on a computer, server, or Cloud served by another person and use the other's program or platform in this software and platform package service to process your personal data. The company shall not allow the unconcerned person to access personal data and determine whether to have the appropriate preventive measures to protect personal data.

7.3 In any necessary cases that personal data must be sent or transferred abroad, the company shall follow the personal data protection law and implement the appropriate measures to protect the employee's personal data. The employee can exercise their personal data rights as prescribed by law. Moreover, the company shall request the data receiver to implement appropriate preventive measures, process such data only as necessary, and prevent other people from using or disclosing personal data without legal authority.

No. 8 Retention and retention period

The company shall retain your personal data as long as it is necessary. At the same time, you are the company's applicant, employee, or personnel to achieve the relevant objectives in this privacy notice. The company may retain your personal data if required or prescribed by law after this period.

8.1 The unqualified applicant, The company, shall retain your personal data for one year from the result announcement date so the company can contact the applicant later if there is an appropriate future vacancy.

8.2 Company employee and personnel: The company shall retain your personal data for ten years maximum from the last day of employment. It may retain it as long as it is necessary for legal proceedings or within the prescription period to establish the legal claims, for law compliance or exercising the right of legal claims, or for other reasons according to the company policy and regulations.

The company shall erase or destroy your personal data or anonymize it when it is unnecessary or comes to the end of the period.

No. 9 Personal data protection by company

The company shall store your personal data based on the technical and organizational measures to maintain data processing safety appropriately and prevent violations. The company sets the policy, regulations, and criteria for personal data protection and preventive measures to prevent the data receiver from using or disclosing the data for other purposes, without authority, or wrongfully. Further, the company revises the policy, regulations, and criteria as necessary and appropriate. The executives, employees, contractors, suppliers, advisors, and data receivers must maintain confidentiality according to the measures determined by the company.

No. 10 Rights of the Data Subject

You have the right to execute the following processes.

(1) Right to withdraw consent

If you have previously consented to the company for collecting, using, and/or disclosing your personal data, you can withdraw your consent at any time. However, this right may be limited by law or a beneficial contract for you. This applies to both the pre-and post-effectiveness of personal data protection law.

Your consent withdrawal may affect the work consideration, company interests, or information unavailability. Therefore, you must study and query the impact before withdrawing your consent.

(2) Right to access personal data

You have the right to access your personal data and request the company to make a copy of the data or disclose the acquisition of the data possessed by the company. The company may reject your request if the access or receiving of a copy affects the rights and liberty of others or if the company must comply with the law or order of the court that does not allow data disclosure.

(3) Right to data portability

If the company uses automated tools or equipment to process or disclose your data, you can request your personal data in a readable or usable format. In addition, you have the right to request the company to send or transmit your data in a format that can be processed automatically to the data controller. You will then receive the sent or transmitted data unless it cannot be processed due to a technical issue.

Your personal data should only include the data you have given the company consent to collect, use, and/or disclose. It may also include the data necessary for the company to collect, use, and/or disclose to facilitate your use of its products and/or services based on your objective. The authorized person may also prescribe other personal data necessary for the company to collect, use, and/or disclose.

(4) Right to object data processing

You have the right to object to collecting, using, and/or disclosing your personal data at any time. However, if the collection, use, and/or disclosure of your personal data is necessary for the legal interests of the company, individual, or legal entity within your expected and reasonable scope or for processing the mission for the public interest, your objection may not be sufficient enough to prevent such collection, use, and/or disclosure. The company can still collect, use, and/or disclose your personal data if it can provide a more vital legal reason than your basic right, confirm its legitimate rights, comply with laws, or engage in litigation if required.

Additionally, you have the right to object to the collection, use, and/or disclosure of your personal for marketing and scientific, historical, or statistical research purposes.

(5) Right to erasure

If you think your personal data is being collected, used, or disclosed improperly, or if the company no longer needs your data for the relevant purposes mentioned in this privacy notice, then you have the right to request the erasure, destruction, or anonymization of your data. You can also exercise your right to withdraw your consent or object as stated above unless the company is legally required to retain your data.

(6) Right to restriction

You have the right to request a temporary restriction of your data in cases where the company is investigating your request to rectify the data, your objection, or other cases where the company does not need to keep or use your data. Still, you would like it restricted instead of erased or destroyed.

(7) Right to rectification

You have the right to request the company to rectify and update your data to avoid ambiguity.

(8) Right to lodge a complaint

You have the right to lodge a complaint to the person in authority if you believe that the data collection, use, and/or disclosure violates or is not compliant with the relevant law.

You can request to use the legal right by filling out the Data Subject Request Form on www.energycomplex.co.th or email pdpa@energycomplex.co.th to request the form.

Your exercise of the right may be limited under the relevant laws. In some cases, the company may reject or cannot process your request due to compulsory reasons, such as to comply with the law or the court order for the public interest, or the right may adversely violate the rights and freedom of others. If the company rejects the request, the company shall inform the reason.

No. 11 Update of the privacy notice

The company shall review and announce the privacy notice every three years unless there is a significant change in law or proceeding. The company shall announce the update of the essence before the effective date and publish the updated version via the appropriate channel. The company may ask for your consent if required by law. The company recommends checking the update of this privacy notice periodically.

No 12. Contact channels

If you believe that processing your personal data is not compliant with the Personal Data Protection Act 2019 (B.E. 2562), you have the right to complain to the personal data protection officer.

Energy Complex Company Limited

Location: Energy Complex Company Limited 555/1 Vibhavadi Rangsit Road,
Chatuchak Sub-district, Chatuchak District, Bangkok 10900

Tel: 0-2140-1234

E-mail: callcenter@energycomplex.co.th

Data Protection Officer

Location: Energy Complex Company Limited 555/1 Vibhavadi Rangsit Road,
Chatuchak Sub-district, Chatuchak District, Bangkok 10900

Tel: 0-2140-1148

E-mail: pdpa@energycomplex.co.th

No. 13 Applicable laws

The privacy notice is under enforcement and interpretation according to Thai laws, and the Thai court has authority for any potential dispute consideration.

Announced on 19 May 2022.

Sirasak Chandrema
President