

# HERON THERAPEUTICS EMPLOYEE PRIVACY POLICY

LAST UPDATED: January 11, 2020

Heron Therapeutics, Inc., together with its affiliates and related entities (together, “Heron Therapeutics,” “we,” “us” or “our”), is providing this Employee Privacy Policy (this “Policy”) because we believe your privacy is important. We ask that you read this Policy carefully.

This Policy describes how we collect, use and disclose personal information from our employees. The words “user,” “employee,” “you” and “your” shall refer to our employees.

## **INFORMATION WE COLLECT**

We collect information in connection with your working relationship with us.

Some of the information we collect may be personal information, meaning information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with you or your household. Other information directly associated with personal information may also be considered personal information. Information that is aggregated, de-identified, or anonymized is not considered to be personal information. Publicly available information that is made available from federal, state, or local government records is also not considered personal information.

The information we collect varies depending on how you interact with us. In addition, we may receive this information directly from you, or, in rare cases we may obtain information about you automatically or from third parties. This information can include:

- Identification and contact information (for example, name, job title, work location, gender, home address, work and personal email addresses, work and personal telephone numbers, mobile phone numbers, Social Security Number, taxpayer or government identification number, driver’s license number, date of birth/age, marital status, race or ethnic origin, disability status, employee identification number, emergency contacts and/or dependent names);
- Residency, citizenship, or work permit status, visa number, nationality, and passport or other identification information;
- Payroll information (for example, banking details and/or tax-related forms), and other banking or other financial information for reimbursements, or other payments, authorized by you, or on your behalf;
- Wage, salary, and benefit information;
- Paid Time Off (“PTO”) and requests for PTO, retirement accounts, pensions, insurance, and other benefits information (including such information as its relates to your beneficiaries or dependents);
- Medical and health information, as needed, and in accordance with applicable laws;
- Information collected from the hiring and termination processes (for example, interview information, CV or resume, cover letters, references, reference letters, background checks,

transcripts, pre-hire interactions, letters of reference, information available on widely distributed media, including public information on social media, letters of offer and acceptance, dates of hire, start and end dates, resignation or termination date and reasons);

- Skills, work experience (including at Heron Therapeutics and outside Heron Therapeutics), education, certificates, registrations, professional licenses, training, and language abilities;
- Performance-related information (including reviews, references, disciplinary procedure information, attendance records);
- Other information provided in forms as required for benefits, payroll, or human resources, in accordance with applicable laws;
- Clothing sizes for clothing provided to you in connection with company events;
- Employee photo, video surveillance footage, other images or photographs, and key card use times and locations;
- Voicemails, e-mails, correspondence, documents, and other work product and communications created, stored or transmitted using our networks, applications, devices, computers, or communications equipment;
- Browsing or online use information;
- Location information, including based on IP addresses when accessing Heron Therapeutics data or systems;
- User I.D., password, and any other credentials used to access Heron Therapeutics' networks, applications, devices, computers, or communications equipment;
- Information required for us to comply with laws, including at the direction of law enforcement authorities or court orders;
- Acknowledgements relating to receipt of or agreement to our policies; and/or
- Other personal information that you may provide to us.

We reserve the right to monitor the use of our premises, equipment, devices, computers, network, applications, software, and similar assets and resources for any lawful purpose. In the course of such monitoring, we may collect personal information about you. The use of the information will be in accordance with this Policy.

## **HOW WE USE INFORMATION WE COLLECT**

We may use your information in accordance with this Policy to:

- Recruit you and complete the hiring process;
- Provide you with equipment, training, educational training, and support, and track compliance, as needed;
- Administer, pay, provide, and manage benefits;

- Manage staffing resources, financial planning, corporate compliance, internal audits, and other administration;
- Communicate with you, and facilitate communications between you and other individuals;
- Pay you, including any salary, bonus, or reimbursements, and administer any stock or stock option grants, awards, exercises and/or cancellations;
- Monitor and evaluate your performance;
- Recognize, reward, and develop you as an employee;
- Provide employment references, if requested by you or a potential employer;
- Administer our applications, software, and electronic systems;
- Process employee work-related claims (including workers' compensation);
- Complete the services and transactions you or others request;
- Provide you with work-related accounts, and manage your accounts;
- Measure and improve our business, services, and performance;
- Assist you with obtaining an immigrant visa or work permit, or verify your eligibility to work in the United States, as needed;
- Anonymize or otherwise protect your data;
- Prevent potentially fraudulent, prohibited, or illegal activities;
- Comply with legal obligations, including health and safety requirements, and requests for information from government agencies, and security investigations, or to assert or defend a legal claim;
- Protect the safety and security of our employees, guests, property, and assets (including controlling and facilitating access to and monitoring activity on and in our premises and activity using our computers, devices, networks, communications, and other assets); and
- Generally manage all aspects of your employment relationship with us, including but not limited to establishing, maintaining, and terminating employment relationships, general operations, and administrative, financial, and human resources related purposes.

We may disclose other purposes, or update this Policy, from time to time.

## **CATEGORIES OF THIRD PARTIES WITH WHOM WE SHARE INFORMATION**

Heron Therapeutics will not sell your personal information to third parties. We may, at times, disclose personal information we collect to the following categories of third parties for the purposes identified above, or otherwise with your consent:

- Our group of companies, affiliates, and related companies in accordance with this Policy;
- Third parties to manage aspects of your relationship with us and aspects of our business, and to effectuate the uses of personal information described in the "How We Use Personal Information We Collect" section above, including third party service providers who access information about you to perform services on our behalf (including for financial or security reasons);
- Third parties who may provide professional advice (for example, lawyers, bankers, accountants, etc.);

- Other persons with whom you have requested that we share information, in order to fulfill services you request;
- In connection with the carrying out of our business activities;
- In connection with any merger, sale of stock or assets, financing, acquisition, divestiture, or dissolution of all or a portion of our business; and/or
- If we believe that disclosure is reasonably necessary to (a) comply with any applicable law, regulation, legal process or governmental request; (b) enforce our policies; (c) protect our rights or property, or the security or integrity of our services; or (d) protect us, users of our services or the public from harm or potentially prohibited or illegal activities.

When sharing information with third parties, we generally require and expect that they only use or disclose your personal information as necessary to effectuate the purposes and uses described.

## **SECURITY**

We take reasonable precautions, including physical, electronic, and procedural safeguards, to protect your information. Despite our efforts, we cannot guarantee that personal information will not be accessed, disclosed, or altered by breach of our reasonable safeguards. We urge you to additionally take adequate precautions to protect your personal information.

## **CHANGES TO THIS POLICY**

We may update this Policy periodically to account for changes in our collection and use of your personal information. If we make any changes to this Policy, we will provide notice of such changes, as appropriate. For example, we may send you an email notification, or we may post a new or updated policy on our Intranet. For administrative changes, we may provide indication in our Policy on the Intranet by updating the “Last Updated” date at the top of this document.

## **CONTACT**

If you have any questions regarding our Policy, or if you need to access the Policy in an alternative format due to a disability, please contact Human Resources. If you have any questions regarding ways you can proactively improve the security of your personal information as it relates to your employment with Heron Therapeutics, please feel free to contact Heron’s Information Technology team.