

## MSD Malaysia's Notice of Data Practices for Employment-Related Purposes

FACTS	<p>This Notice provides a comprehensive overview of Merck Sharp &amp; Dohme (Malaysia) Sdn Bhd's ("MSD"), a member of the Merck &amp; Co., Inc., Kenilworth, NJ, USA global family of companies, practices with respect to the collection, use and disclosure of data for employment-related purposes about employees, their family members, and other individuals about whom Merck &amp; Co., Inc., Kenilworth, NJ, USA and its affiliates have Personal Information as a result of the relationships those individuals have with employees .</p>
Privacy at Merck & Co., Inc., Kenilworth, NJ, USA	<p>At Merck &amp; Co., Inc., Kenilworth, NJ, USA – also known as Merck Sharp &amp; Dohme (MSD), as Merck Frosst Canada Ltd. in Canada and as Banyu in Japan (collectively the "Company"), privacy is fundamentally about trust. Consistent with our tradition of upholding high ethical standards across our business practices, we have demonstrated our commitment to privacy by establishing a global privacy program to support compliance with applicable privacy laws and standards for protecting personal information around the world.</p> <p><u>Safe Harbor Certification</u> – In 2001, Merck &amp; Co., Inc., Kenilworth, NJ, USA first certified its adherence to the Safe Harbor Framework for transfers of personal information about employees and other individuals from the European Economic Area to the United States. A copy of the Merck &amp; Co., Inc., Kenilworth, NJ, USA Safe Harbor Privacy Policy, which also applies to personal information transferred from Switzerland to the U.S., is available at <a href="http://www.merck.com/policy/safe_harbor/home.html">http://www.merck.com/policy/safe_harbor/home.html</a>.</p>
Why?	<p>As a global company, Merck &amp; Co., Inc., Kenilworth, NJ, USA continues to determine that important business efficiencies can be achieved by consolidating information about its employees, family members, and other individuals about whom the Company has Personal Information as a result of the relationships those individuals have with employees (the "human resources data"), in centralized databases and systems located at MSD facilities in the USA. The primary MSD system of record for human resources data is Hire-to-Retire (HtR), which is located in the USA. HtR also shares human resources data with other systems and databases hosted by or on behalf of Merck &amp; Co., Inc., Kenilworth, NJ, USA, however, HtR and those other systems and databases will only collect, receive, use and share human resources data <u>in accordance with and as permitted by applicable laws</u>, and, where applicable, as authorized by applicable government authorities, in connection with employment-related activities, which may include:</p> <ul style="list-style-type: none"> <li>• staffing (e.g., headcount planning, recruitment, termination, succession planning)</li> <li>• organizational planning and development and workforce management</li> <li>• budget planning and administration</li> <li>• compensation, payroll, and benefit planning and administration (e.g., salary, tax withholding, tax equalization, awards, insurance and pension)</li> <li>• workforce development, education, training and certification</li> <li>• background checks</li> <li>• performance management</li> <li>• problem resolution (e.g., internal reviews, grievances), internal investigations, auditing, compliance, risk management and security purposes</li> <li>• authorizing, granting, administering, monitoring and terminating access to or use of MSD systems, facilities, records, property and infrastructure</li> <li>• business travel (e.g., limousines, commercial flights, MSD aviation services, hotels, rental cars)</li> <li>• expense management (e.g., corporate card, expense and grant of authority administration, procurement)</li> <li>• project management</li> <li>• conflict of interest reporting</li> <li>• employee communications</li> <li>• flexible work arrangements</li> <li>• administration of employee enrollment and participation in activities and programs offered to eligible employees (e.g., matching donations to non-profit organizations, political action committee contributions, wellness activities)</li> <li>• work-related injury and illness reporting</li> <li>• monitoring and surveillance for industrial hygiene, public health and safety</li> <li>• legal proceedings and government investigations, including preservation of relevant data</li> </ul>

Effective Date: December 2015

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<b>Why? (cont'd)</b>	<ul style="list-style-type: none"> <li>as required or expressly authorized by laws or regulations applicable to our business globally or by government agencies that oversee our business globally</li> </ul> <p>Provision of your data is mandatory for purposes of employment.</p> <p>Where local laws require that you provide specific consent for the collection, use and disclosure of human resources data for some of these purposes, you may be asked to provide your consent by appropriate and permitted means.</p>	
<b>What?</b>	<p>The types of human resources data we collect (directly from you or from public or third party information sources) and share depend on the nature of your position and role within Merck &amp; Co., Inc., Kenilworth, NJ, USA and the requirements of applicable laws. Examples of this information may include, among other things:</p> <ul style="list-style-type: none"> <li>contact information (e.g., name, home and business addresses, telephone, fax and pager numbers, e-mail addresses, emergency contact information)</li> <li>personal information (e.g., date of birth, marital status, birth place, nationality, race, gender, religion, preferred language)</li> <li>employment, performance, compensation and benefits (e.g., hire date, adjusted service date, action/status codes, MSD identification number, job title, position/grade, attendance, department, business unit, supervisor, site, union, objectives, projects, performance reviews, performance and leadership ratings, salary, bonus, long term incentives, awards, retirement, family member/dependents names and dates of birth)</li> <li>education and training (e.g., education level, field and institution; competency assessments; professional licenses and certifications; training courses)</li> <li>social security number or other national identification number</li> <li>passport number</li> <li>driver's license number, vehicle license plate number</li> <li>bank account information</li> <li>corporate card number</li> <li>employment history and letters of recommendation</li> <li>work restrictions and accommodations</li> <li>industrial hygiene exposure assessment and monitoring information (e.g., noise dosimetry results)</li> <li>agreements that you enter into with the Company</li> <li>computer or facilities access and authentication information (e.g., identification codes, passwords)</li> <li>grievance resolutions</li> <li>photographs and other visual images of you</li> </ul> <p>The examples provided are not all-inclusive. Merck &amp; Co., Inc., Kenilworth, NJ, USA also may collect similar or related information.</p> <p>Sensitive data: (e.g., data that reveal race, ethnic origin, religious or philosophical beliefs, health, sexual orientation, political opinions or trade union membership or the commission or alleged commission of an offence) are collected only where required by law and are used and disclosed only to fulfill legal requirements.</p>	
<b>How?</b>	<p>In the section below, we list the reasons that Merck &amp; Co., Inc., Kenilworth, NJ, USA typically may share human resources data for employment-related purposes, the reasons that Merck &amp; Co., Inc., Kenilworth, NJ, USA may share this information, and whether you can limit this sharing. Merck &amp; Co., Inc., Kenilworth, NJ, USA implements reasonable and appropriate security measures to protect personal information in accordance with its sensitivity from loss, misuse and unauthorized access, disclosure, alteration or destruction.</p>	
<b>Reasons personal information about you could be shared for employment-related purposes</b>	<b>Do we share?</b>	<b>Can you limit this sharing?</b>
Reporting to government authorities	Yes, for example, to report safety information about our products.	No

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<p>To parties in relevant legal proceedings as authorized by the presiding court or tribunal and otherwise to the extent required or explicitly authorized by applicable law</p>	<p>Yes, where required by law or regulation.</p>	<p>No, except where required by local law.</p>
<p>In the event that for business reasons Merck &amp; Co., Inc., Kenilworth, NJ, USA decides to divest part or all of its business through sale, merger or acquisition, to actual or prospective purchasers</p>	<p>Yes, based on written agreements that personal information will be protected appropriately in these circumstances.</p>	<p>Generally, no, except where local law permits you to opt-out or requires your express consent.</p>
<p>With companies globally that provide services on our behalf and in accordance with our instructions (for example, to deliver specific information you have requested)</p>	<p>Yes, if the business operation is supported by another company. As a global company, we may work with companies around the world to provide services for or on our behalf, and we will require those companies to protect personal information in accordance with applicable laws, rules and regulations and Company privacy policies.</p>	<p>Generally, no. We have instituted policy, contractual and administrative mechanisms requiring protection of personal information by other companies that process personal information on our behalf globally. However, where local law provides a right for you to limit this sharing, we will comply with such requirements.</p> <p>In circumstances where our business operations are supported by other companies, such as a company that we contract with to mail the materials you request, you will not be able to limit this sharing and still receive the service.</p>
<p>To affiliates* within the Merck &amp; Co., Inc., Kenilworth, NJ, USA family of companies globally for everyday business purposes as described in this notice</p> <p><i>*Affiliates are companies related by common ownership or control. Outside of the United States, affiliates of Merck &amp; Co., Inc., Kenilworth, NJ, USA generally operate under the names "MSD" or "Merck Sharp &amp; Dohme"</i></p>	<p>Yes, as a global company, we generally share personal information across our offices globally for the purposes described in this notice, however, only those individuals with a legitimate business need to access personal information for these purposes are granted such access. For example, HR data about you will be available to your management, who may be located in another country, the HR Business Partners responsible for your country and the HR centers located in the U.S.A. or regionally that are responsible for certain HR functions, such as compensation and benefits planning.</p>	<p>Generally, no. We have instituted policy, contractual and administrative mechanisms requiring protection of personal information across our business globally. However, where local law provides a right for you to limit this sharing, we will comply with such requirements.</p> <p>You may request that we do not transfer personal information outside of your country, however, in most cases this will substantially limit the services we can provide to you. Where our computer servers, databases or processes are located in another country, in most cases we will be unable to fulfill such a request and still provide the service to you.</p>
<p>To other companies we collaborate with solely for activities related to products or services jointly offered or developed by Merck &amp; Co., Inc., Kenilworth, NJ, USA, and that company</p>	<p>Yes, subject to written agreements between Merck &amp; Co., Inc., Kenilworth, NJ, USA and those companies, which require those companies to protect confidential information provided to them by Merck &amp; Co., Inc., Kenilworth, NJ, USA.</p>	<p>Yes, where permitted by law. If you request to opt-out of this sharing, however, you will not be able to work on co-development projects that Merck &amp; Co., Inc., Kenilworth, NJ, USA undertakes with such companies.</p>
<p>To companies Merck &amp; Co., Inc.,</p>	<p>In rare cases, companies with</p>	<p>Yes</p>

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<p>Kenilworth, NJ, USA collaborates with: to use for their own products and services</p>	<p>whom we collaborate, but who are not acting on our behalf, may request that we share human resources data so that they can provide information about their own products and services to you. In such a case we would only share information about you if you provide your express (opt-in) permission for this sharing.</p>
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<p><b>Transfer of personal data outside of Malaysia</b></p>	<p>MSD may transfer your personal data out of Malaysia for the purposes described in this form. You consent to the transfer of your personal data out of Malaysia as described herein.</p>
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<p>Contact Us</p> 	<p>If you have questions regarding this notice or the personal information Merck &amp; Co., Inc., Kenilworth, NJ, USA collects, uses and shares about you, or if you would like to access, correct or update personal information about you in Merck &amp; Co., Inc., Kenilworth, NJ, USA databases in accordance with your rights under applicable law, please contact us.</p> <p><u>To contact the MSD Malaysia Privacy Officer, write to:</u>          Compliance and Privacy Officer          MSD          T2-9, Jaya 33,          No 3, Jalan Semangat, Seksyen 13          46200 Petaling Jaya,          Selangor, Malaysia.          Tel: +60377181600          Fax: +60377181700</p> <p><u>To contact the Merck &amp; Co., Inc., North Wales, PA, USA Privacy Office, write to:</u>          Merck &amp; Co., Inc., North Wales, PA, USA, Privacy Office          UG4B24          351 N. Sumneytown Pike          North Wales, PA 19454          Or e-mail the <a href="mailto:Merck Privacy Office">Merck Privacy Office</a></p>
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