

(In compliance with the EU-U.S. and the Swiss-U.S. Privacy Shield Framework)



**LABORCHART**  
**PRIVACY POLICY**

**Updated: February 7, 2020**

At LaborChart, Inc., (“LaborChart”, “We”, “Us” “Our”) we care about your privacy. We have created this privacy policy (our “Policy”) in order to demonstrate our firm commitment to privacy and so you can understand clearly how we collect and use your information. The following discloses our information gathering and dissemination practices for the Platform. Capitalized terms shall have the meaning ascribed to them in the Terms and Conditions unless otherwise defined here.

We reserve the right, at any time, to add to, change, update or modify this Policy, simply by posting such change, update, or modification on the Platform, to our Company website or any other Company communications source without any other notice to you. Any such change, update, or modification will be effective immediately upon posting on the Platform. Changes that impact the provision of the Services will generally be announced and communicated to registered users via email and through our website. Accordingly, it is your responsibility to review the Policy from time to time to ensure that you continue to agree with our use of your information to provide you the Services. Each time you access and/or utilize the Platform and Services, you consent to the then-current Policy.

**INFORMATION WE COLLECT:**

NON-PERSONALLY IDENTIFIABLE INFORMATION. We may collect information through technology that does not identify you personally in order to make the Platform more efficient and useful for you and other Users. This information may also be used to make your experience on the Platform better by optimizing performance within a given browser and increasing the speed of navigation through the Platform.

USER IDENTIFIER. We may log all connections to our web servers. Those log files may include a unique user identifier, including, but not limited to your IP address and/or you mobile operating system (OS), our embedded, or other commonly used mobile device identifier (a “User Identifier”). A User Identifier is NOT personally identifiable information, but general information about your location, connection to the Internet, and your Internet or Mobile Phone Service Provider. We use your User Identifier to help diagnose problems with our server and to administer the Services of the Platform. Additionally, we may use your User Identifier to track your navigation of the Platform.

COOKIES. We may use a standard feature in browser software called “cookies” to enhance your experience with our site. Cookies are small files that your web browser places on your hard drive for record-keeping purposes. By showing how and when visitors use the Platform, cookies help us identify how many unique users visit the Platform and track user trends and patterns. Cookies also benefit your use of the Platform and save you time by storing and making easily available information required to use the Platform. Information on deleting or controlling cookies is available at [www.AboutCookies.org](http://www.AboutCookies.org). Please note that deleting our cookies or disabling future cookies may negatively affect the continuity and user experience when you use the Platform.

CLEAR GIFS. We may also employ a software technology called clear gifs (also known as web beacons) that help us better manage content on the Platform by informing us what content is effective

and of interest to our users. Clear gifs are tiny graphics with a unique identifier, similar in function to cookies, and are used to track the online movements of Web users. Clear gifs and cookies are not tied to your personally identifiable information and may be used to improve your user experience when using the Platform.

OTHER TRACKING TECHNOLOGIES. We may also employ other tracking technologies common in the Internet industry, including UDID, OpenUDID, ODIN, MAC Address, device fingerprinting, or other technology. These technologies help us better manage content on the Platform by informing us what content is of interest and value to our Users. These technologies are similar in function to cookies and are used to track the online movements of Platform users and are not tied to your personally identifiable information.

LOG FILES. Like most standard website servers, LaborChart may use log files. Information collected in log files may include internet protocol (IP) addresses, your User Identifier, browser type, internet service provider (ISP), mobile network provider, referring/exit pages, platform type, date/time stamp, and number of clicks. We utilize this information to analyze trends, administer the Platform, track your movement in the aggregate, and gather broad demographic information for aggregate use. This information is not personally identifiable and may be used to improve your experience with the Platform.

PERSONALLY IDENTIFIABLE INFORMATION (“PII”). In order to use the Services, you must register and provide your personal contact information. Your personal information may also be provided by the Subscriber who is responsible for securing your permission prior to sharing your personal information with us. Such personal information may include: name, title, email address, mobile phone number, home address, date of birth, date of hire, wage, a photo, and your emergency contact and their phone and email addresses (“PII”).

#### **HOW WE USE COLLECTED INFORMATION:**

Other than the specific uses listed below, we will not disclose, share, sell, lease, or rent your PII, or your network information to any third party. We may use User Content for only the following purposes: (1) to send you additional information about the Platform or Services, (2) to contact you directly, (3) to provide information to our service providers, or for billing or payment processing as necessary to provide you the Services, and (4) when required by law or in response to a request from a law enforcement agency or authority. LaborChart will take commercially reasonable efforts to confirm that our third-party contractors contractually agree to provide our users privacy protections at least as strict as those presented herein. We may purge your personal information and data on your LaborChart contact card stored on our servers after a significant period of non-use. We will send you at least one notice prior to purging your LaborChart contact card to provide you the opportunity to keep your account active. You are able to change your contact preferences in the Platform or by contacting us using one of the methods listed below in the Contact Us section.

#### **YOUR RIGHT TO YOUR INFORMATION**

As agreed to in the Terms and Conditions, we do not take ownership of your personal information, you instead grant us a limited license to use your personal information to provide you the Services. As such, you can request your removal from the Services at any time with the understanding that such a request will result in an immediate termination of your user account and our inability to provide the Services to

you in any manner. You can request that we alter your personal information in the system either through the Platform's user interface, or by contacting us using one of the methods listed below.

## **SPECIAL SECTION FOR USERS IN THE EUROPEAN UNION & SWITZERLAND**

### **EU-U.S. and Swiss-U.S. Privacy Shield Framework**

LaborChart participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework. LaborChart is committed to subjecting all personal data received from European Union (EU) member countries and Switzerland, in reliance on the Privacy Shield Framework, to the Framework's applicable Principles. To learn more about the Privacy Shield Framework, visit the [U.S. Department of Commerce](#). LaborChart is responsible for the processing of personal data it receives, under the Privacy Shield Framework, and subsequently may transfer to a third party acting as an agent on its behalf. LaborChart complies with the Privacy Shield Principles for all onward transfers of personal data from the EU and Switzerland, including the onward transfer liability provisions.

With respect to personal data received or transferred pursuant to the Privacy Shield Framework, LaborChart is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, LaborChart may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third-party dispute resolution provider (free of charge) at <https://go.adr.org/privacyshield.html>. Under certain conditions, more fully described on the [Privacy Shield website](#), you may invoke binding arbitration when other dispute resolution procedures have been exhausted.

**Legal Basis for Processing Personal Information (EEA Visitors Only):** If you are a visitor from the EEA, our legal basis for collecting and using the Personal Information described above will depend on the Personal Information concerned and the specific context in which we collect it.

However, we will normally collect Personal Information from you only where we have your consent to do so, where we need the Personal Information to perform a contract with you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect Personal Information from you or may otherwise need the Personal Information to protect your vital interests or those of another person.

If you have questions about or need further information concerning the legal basis on which we collect and use your Personal Information, or for more details on our legitimate interests, please contact us using the contact details provided in the Contact Us section below.

### **PRIVACY SHIELD COMPLAINTS**

In compliance with the Privacy Shield Principles, LaborChart commits to resolve complaints about our collection or use of your personal information. EU and Swiss individuals with inquiries or complaints regarding our Privacy Shield policy should first contact LaborChart at:

LaborChart, Inc.  
Attn: Legal / Privacy Shield  
PO Box 481425  
Kansas City, MO 64148816-674-6371

LaborChart has further committed to refer unresolved Privacy Shield complaints to ICDR/AAA, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please visit <https://go.adr.org/privacysshield.html> for more information or to file a complaint. The services of ICDR/AAA are provided at no cost to you.

For any privacy complaints related to Human Resources (HR) data transferred from the EU or Switzerland, LaborChart has chosen the EU Data Protection Authorities (EU DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC), as applicable to serve as the independent dispute resolution body to address complaints and provide appropriate recourse free of charge to the individual. LaborChart has agreed to fully participate in the EU PDA's and the FDPIC procedures to resolve disputes pursuant to the Privacy Shield Framework.

### **Right Of Individuals To Access Their Personal Data.**

Under the Privacy Shield Principles, the right of access is fundamental to privacy protection. In particular, it allows individuals to verify the accuracy of information held about them. The Access Principle means that individuals have the right to:

1. Obtain from LaborChart confirmation of whether or not LaborChart is processing personal data relating to them; LaborChart will answer requests from an individual concerning the purposes of the processing, the categories of personal data concerned, and the recipients or categories of recipients to whom the personal data is disclosed.
2. Have communicated to LaborChart such data so that they could verify its accuracy and the lawfulness of the processing; and
3. Have the data corrected, amended or deleted where it is inaccurate or processed in violation of the Principles.

Individuals do not have to justify requests for access to their personal In responding to individuals' access requests, LaborChart is first guided by the concern(s) that led to the requests in the first place. For example, if an access request is vague or broad in scope, LaborChart will engage the individual in a dialogue so as to better understand the motivation for the request and to locate responsive information. LaborChart might inquire about which part(s) of LaborChart the individual interacted with or about the nature of the information or its use that is the subject of the access request.

Consistent with the fundamental nature of access, LaborChart will always make good faith efforts to provide access. For example, where certain information needs to be protected and can be readily separated from other Personal Information subject to an access request, LaborChart will redact the protected information and make available the other information. If LaborChart determines that access should be restricted in any particular instance, it will provide the individual requesting access with an explanation of why it has made that determination and a contact point for any further inquiries.

## **Burden or Expense of Providing Access**

The right of access to personal data may be restricted by LaborChart only in exceptional circumstances where the legitimate rights of persons other than the individual would be violated or where the burden or expense of providing access would be disproportionate to the risks to the individual's privacy in the case in question. Expense and burden are important factors and will be taken into account but they are not controlling factors in determining whether LaborChart providing access is reasonable.

For example, if the Personal Information is used for decisions that will significantly affect the individual, then consistent with the other provisions of these Supplemental Principles, LaborChart will disclose that information even if it is relatively difficult or expensive to. If the Personal Information requested is not sensitive or not used for decisions that will significantly affect the individual, but is readily available and inexpensive to provide, LaborChart will provide access to such information.

## **Use Of Information**

LaborChart will offer EU and Swiss individuals whose personal information has been transferred to us the opportunity to choose whether the personal information it has received is to be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual. An individual may opt-out of such uses of their personal information by contacting us at:

LaborChart, Inc.  
Attn: Legal / Privacy Shield  
PO Box 481425  
Kansas City, MO 64148

## **PROTECTION OF CHILDREN'S PRIVACY:**

In compliance with the Children's Online Privacy Protection Act, 15 U.S.C., §§ 6501-06 and 16 C.F.R., §§ 312.1-312.12, our Platform does not permit children under 18 years of age to become users, and we do not collect information from children. By using our Platform, you represent that you are 18 years of age or older.

## **SECURITY:**

The Platform includes security measures in place to protect against the loss, misuse and alteration of the information under our control; however, User acknowledges that no security measures are 100% effective and LaborChart does not guarantee the performance or adequacy of such security measures.

## **LINKS TO OTHER WEBSITES:**

The Platform may contain links to other websites that are not owned or operated by LaborChart. LaborChart is not responsible for the privacy policies or practices of third parties or the content or security of such third-party websites.

**CONTACT US:**

For inquiries regarding the Privacy Policy, or to remove or change your contact information in our database, or to not receive future mailings or other communications, as well as for all other inquiries, please contact us at any time using one of the options below:

**By Phone**

913) 800-8225

**By Email**

[info@laborchart.com](mailto:info@laborchart.com)

**By Mail**

Labor Chart, Inc. PO Box 481425 Kansas City, MO 64148