



## **empowerER Privacy Policy**

Last modified: 1.21.21

HR Acuity, LLC (“HR Acuity,” “we” or “us”) respects your privacy and is committed to protecting it through our compliance with this policy. This policy describes the types of information we may collect from you or that you may provide when you access and participate in empowerER, the web-based employee relations community (“empowerER”) via the empowerER website (“Website”) and our practices for collecting, using, maintaining, protecting, and disclosing that information. HR Acuity acts as Controller for all personal data processed under empowerER.

This policy applies to information collected on this Website; transmitted by you via this Website; and in email, text, and other electronic messages between you and this Website. This policy does not apply to information collected by us offline or through any other means, including on any other website operated by Company or any third party; or any third party, including through any application or content (including advertising) that may link to or be accessible from the Website.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Website. By accessing or using this Website, you agree to this privacy policy. This policy may change from time to time (see Changes to Our Privacy Policy). Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

### **1. Information We Collect About You and How We Collect It**

We collect several types of information from and about users of our Website in different ways. We obtain the categories of personal information listed below from the following sources directly from you, including from forms you submit when registering for an account; or indirectly from you, based on your activity and interaction in the empowerER community.

*Account Set-Up; Required Information.* In order to use the Website and participate in empowerER, you will need to submit information by which you may be personally identified, such as your name; postal address; e-mail address; telephone number; and employment information, such as role within your organization (“personal information”). You will also have the option to create an account using your LinkedIn or Facebook log-in credentials. If you choose to use your LinkedIn or Facebook log-in credentials, you will not be required to submit information other

than your log-in credentials. You may sometimes have the option of choosing which information to provide, but some of this information will be required in order to create an account to participate in empowER.

*Automated Information.* In order to operate the Website and empowER, we automatically receive and record information from your browser or mobile device when you visit the Website. This information helps us to improve our Website and deliver better, more personalized service, including estimating our audience size and usage patterns; storing information about your preferences to allow us to customize your experience; and recognizing you when you return to the Website. This information may include usage details, information collected through cookies, and information about your computer and internet connection, including your IP address, operating system, and browser type. We may collect this information through use of the following technologies:

- Cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. You may also be given options, when using our Website, to customize browser cookies. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, or have customized browser cookies when using our Website, our system will issue cookies when you direct your browser to our Website.
- Flash Cookies. Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies.
- Web Beacons. Pages of our the Website and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit HR Acuity, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

*User Contributions.* You also may provide information to be published or displayed (hereinafter, “posted”) on public areas of the Website, including empowER forums and discussions, or transmitted to other users of the Website or third parties (collectively, “User Contributions”). Your User Contributions are posted on and transmitted to others at your own risk. Additionally, we cannot control the actions of other users of the Website with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.

*No Information About Children.* Our Website is not intended for children or teenagers under the age of 18. We do not knowingly collect information from, or direct any content to, children or teenagers under the age of 18

## **2. Participation in empowER**

The empowER online community hosted on the Website allows members to connect and communicate in public or semi-public spaces. You are not required to use any of these features, but if you do, please use common sense and good judgment when posting in these spaces or sharing your personal information with others. Any personal information that you choose to submit there can be read, collected, or used by others, or could be used to send unsolicited messages to you. You are responsible for the personal information that you choose to post. The Website may (but is not required to), in your account settings, offer options to set your privacy preferences, including allowing you to make certain activities or account information private.

## **3. How We Use Your Information, Sharing, and Disclosure**

We respect your privacy. HR Acuity will not disclose your name, email address, or any other personal information to third parties without your consent, except as specified in this policy. We may use and share personal information when we have any of the following bases to do so:

- The information is necessary to perform our contractual obligations for you as outlined in the Terms of Use;
- You have consented to sharing the information;
- To comply with any court order, law, or legal process, including to respond to any government or regulatory request;
- To enforce or apply our [Terms of Use](#) and other agreements, including for billing and collection purposes;
- To improve and customize the Website and empowER, including sharing your information for such purposes, as necessary to pursue our legitimate interests of improving our users' experiences;
- To contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them;
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of HR Acuity's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by HR Acuity about our Website users is among the assets transferred;
- To fulfill any purpose disclosed by us when you provide the information;
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of HR Acuity, our customers, or others.

## **4. Choices About How We Use and Disclose Your Information**

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's website.

## **5. Accessing and Correcting Your Information; Retention**

You can review and change your personal information by logging into the Website and visiting your account profile page.

If you delete your User Contributions from the Website, copies of your User Contributions may remain viewable in cached and archived pages or might have been copied or stored by other Website users. Proper access and use of information provided on the Website, including User Contributions, is governed by our [Terms of Use](#).

HR Acuity will retain your information only for as long as necessary. If you no longer want us to use your information, you may close your account. We will continue to retain your information only to the extent necessary to comply with our legal obligations and as otherwise described in this policy.

## **6. Data Security**

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. HR Acuity follows generally accepted industry standards to protect your information, including encryption for certain information. The empowerER community also relies on third-party technology and services for web hosting services. HR Acuity has appointed trusted vendors for these services and holds a contract with each organization that processes personal data on our behalf.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the Website. The information you share in public areas may be viewed by any user of the Website.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website, including but not limited to information hosted by third-party vendors. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

## **7. Processing Information Under the GDPR (for users in the EEA)**

For empowER users in the European Economic Area (EEA), HR Acuity processes your information in accordance with European laws and regulations, including the General Data Protection Regulation (GDPR). The GDPR governs how HR Acuity may process your information and the rights that EEA users have in relation to it. We will collect and use your information only when: it is necessary to fulfill our obligations to you under our Terms of Use; it is in our legitimate interests to provide you with a useful service, but only where our interests in doing so is not overridden by your interest in protecting your data; you consent to us using your information in a specific way; or it is necessary for compliance with our legal obligations.

If you have consented to our use of your information, you may withdraw that consent at any time. Withdrawal of this consent may, however, mean that it is not possible for you to continue using empowER.

GDPR provides you with certain rights in relation to your personal data, including the right of access, erasure and objection. In most instances these rights are free to engage and HR Acuity will respond within a month. If you wish to exercise these rights, you may contact us at the email below.

In compliance with the GDPR, HR Acuity commits to resolve complaints about our collection or use of your personal information. If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S. Privacy Officer at the following address:

United States HR Acuity LLC U.S. Privacy Officer 23 Vreeland Road, Suite 220, Florham Park, NJ, 07932, USA or [privacyofficer@hracuity.com](mailto:privacyofficer@hracuity.com). You may also contact our EU Data Protection Officer at [dpo.hracuity@kdpc.com](mailto:dpo.hracuity@kdpc.com).

The empowER community is hosted within the US, and as such a transfer of personal data will occur to the US. HR Acuity has ensured there are sufficient safeguards for such a transfer (through the use of Standard Contractual Clauses).

HR Acuity has further committed to cooperate with EU data protection authorities (DPAs) with regard to unsolved complaints (concerning human resources data transferred from the EU in the

context of the employment relationship). If you do not receive timely acknowledgement of your complaint from us, or if we have not addressed your complaint to your satisfaction, please contact the EU DPAs for more information or to file a complaint. The services of EU DPAs are provided at no cost to you.

Your personal data will be retained for the period of your membership.

#### **8. California Users' Privacy Rights**

Californian users of empowER have additional rights afforded to them under the California Consumer Privacy Act (CCPA). Details about how we collect, use, and share your information are set forth in this privacy policy.

We do not sell (as defined in the CCPA) personal information of empowER users. In order to exercise your rights with respect to the personal information we collect, California-based users may: request access to the personal information we have collected; and request that the information is deleted. You may make these requests by contacting us at [privacyofficer@hracuity.com](mailto:privacyofficer@hracuity.com).

#### **9. Changes to Our Privacy Policy**

It is our policy to post any changes we make to our privacy policy on this page. If we make material changes to how we treat our users' personal information, we will notify you by email to the email address specified in your account and/or through a notice on the Website home page. The date the privacy policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Website and this privacy policy to check for any changes.

#### **10. Contact Information**

To ask questions or comment about this privacy policy and our privacy practices, contact us at: HR Acuity LLC U.S. Privacy Officer 23 Vreeland Road, Suite 220, Florham Park, NJ, 07932, USA or [privacyofficer@hracuity.com](mailto:privacyofficer@hracuity.com). Our EU Data Protection Officer can be contacted at [DPO.hracuity@kaleidoscopeconsultants.com](mailto:DPO.hracuity@kaleidoscopeconsultants.com).