



EFFECTIVE DATE: June 1, 2023

General Information

PLEASE READ THIS PRIVACY STATEMENT AND NOTICE OF PRIVACY PRACTICES CAREFULLY.

Your privacy and trust are important to us. This statement describes our privacy practices, including how we collect, handle, store and protect personal information about you in the context of your interaction with ActionTrac resources, including this website. Covered information includes Personal Data (which means any employee information relating to an identified or identifiable natural person), we obtain from and about individuals interacting with ActionTrac, ActionTrac Center Stage App, Reunion Resort Employee Recognition app and its websites, mobile applications, and any other ActionTrac services. All Personal Data collected, other than information collected in the employment context, is subject to this Privacy Statement.

By using our Services, you acknowledge that you have read this Privacy Policy and consent to ActionTrac's privacy practices as described in the Privacy Policy, including our use and disclosure of your personal information for the purposes described below. You further affirm your consent by submitting content or materials to or through our Services.

We take the privacy of your personal information seriously. If you have any questions or concerns about this Privacy Policy or your personal information please contact us directly at the email or mailing address listed in Section 16 (Contact Us).

This privacy statement may be revised from time to time, resulting in updates and modifications to this page. ActionTrac will make the most current version of the Statement accessible by clicking on the "Privacy Policy" link located at the bottom of our website.

1. Types of Personal Data Collected

To enable visitors to take advantage of our services, we collect certain types of Information, such as during registration for a demo, when in full production or when submitting a contact form request this Information may include:

- Your first and last name
- Company information
- State
- Job title

- Telephone number
- Postal/email addresses
- Billing information
- Log files, information collected by cookies and similar technologies about the pages viewed, links clicked and other actions taken when accessing our website, which may be considered Personal Data under applicable laws (see our Cookie Policy for more information).
- Department
- Location
- Mobile Phone Number

2. Sharing and Disclosure of Personal Information

Primarily, we may share or disclose your personal information in the following instances:

- To provide support. For example, if you e-mail us a question, We may use your e-mail address to process your request and respond to your question.
- To provide the ActionTrac services to you. ActionTrac product services enable our customers to use their own personal information as disclosed under “Type of data collected.”
- In order to provide a quality service ActionTrac support will have access to personal data as listed under Types of personal data collected.
- To complete your purchase of the Services. We may ask you for your credit card number, billing address, and other information in connection with completing such purchase, and We may use such information to fulfill your purchase. We may also provide such information,

3. With Whom We Share Personal Data

ActionTrac may share Personal Data we collect with the following categories of third parties in accordance with law and for the purposes defined below. All such parties shall be bound by legal or contractual obligations to maintain the privacy of data handled on behalf of ActionTrac.

- Approved subsidiaries who provide defined, approved processing services on behalf of ActionTrac for the purpose of supporting and providing services to its customers
- Third party service providers contracted to provide defined services on behalf of ActionTrac for discrete business purposes such as provision of IT related services, event planning, talent recruiting, and travel services
- Corporate entities when a business transaction occurs such as a merger or acquisition

ActionTrac may disclose Personal Data in special cases when we have a good faith belief that it is necessary: (a) to conform to legal requirements or to respond to lawful requests by public authorities, including to meet national security or law enforcement requirements; (b) to protect and

defend our rights or property; (c) to enforce the website Terms and Conditions; or (d) to protect the interests of our users or others.

4. Retention of Data

We will keep your Personal Data as reasonably necessary to fulfill the purposes for which Personal Data is collected as stated herein; for as long as is necessary for the performance of the contract between you and us, if any; and to comply with legal and statutory obligations, such as in tax, trade and corporate laws. When you no longer need your Personal Data, we will destroy, delete or erase that Personal Data

5. Legal Disclosure

We may disclose information about you and your use of the services if we believe that such disclosure is reasonably necessary to: (i) comply with the law and/or *legal process where a formal request has been made (e.g. request from an administrative oversight agency, civil suit, subpoena, court order or judicial or administrative proceeding)*; (ii) *protect or defend Our rights and/or property or the rights and property of others*; (iii) enforce Our General Terms of Use and/or this Privacy Policy; (iv) respond to claims that the content(s) of a communication violates the rights of another; and (v) to meet Our legal and regulatory obligations, including, without limitation, as an employer and for tax purposes.

Also, circumstances may arise where, for business reasons, We may decide to reorganize, or divest all or part of Our business through sale, assignment, merger, acquisition, bankruptcy proceedings, or We may acquire a new business. In these circumstances, personal information may be shared with the actual or prospective purchasers or assignees, or with the newly acquired business.

6. Information Security

Although we are serious about protecting the security of your Personal Information and have taken steps to protect your Personal Information from loss, misuse, unauthorized access, disclosure, or destruction, no security measures are completely secure and we do not and cannot guarantee the security of your information. If you have reason to believe that your information has been lost, stolen, or otherwise compromised from our sites, please contact us immediately via support@actiontrac.net.

7. Sharing for Business Transactions

If ActionTrac is involved in any merger, acquisition, sale of assets, bankruptcy, or insolvency event, we may sell or transfer some or all of our assets, including some or all of your Personal Information in connection with such a transaction. We will notify you before your personal information becomes subject to a different privacy policy.

8. Sharing for Legal and Compliance Purposes

We may share Personal Information collected through the use of our corporate website to respond to valid legal processes (e.g., a court order or subpoena). We may also share your information to comply with applicable laws, to protect the safety of any person, to address fraud, security, or technical issues, or to enforce this Policy, Terms of Service, and any other terms or conditions you have agreed to with us.

8.1 Sharing with Third-Party Service Providers

ActionTrac uses third-party service providers to help us provide and improve our corporate websites and services. We may share the Personal Information you provide to us or that we collect from you through our corporate website to these third-party service providers. When we do so, we will only provide the information necessary for the third-party to perform its agreed upon services and require that they use such information for no other purpose than to provide the services to us.

9. Your California Privacy Rights

This section applies only to California residents and provides additional details about the Personal Information we collect about California consumers and the rights afforded to them under the California Consumer Privacy Act of 2018 (the “CCPA”).

9.1 Your Rights Under the CCPA

If you are a California resident, you have rights in relation to your Personal Information; however, your rights are subject to certain exceptions. For instance, we cannot disclose specific pieces of Personal Information if the disclosure would create a substantial, articulable, and unreasonable risk to the security of Personal Information or the security of our systems. Additionally, we will only be able to act on your requests if we can verify your identity against the Personal Information we have collected about you. Below are the specific rights provided to you by the CCPA:

- **Right to Know.** You have the right to request, in writing, (a) the categories of Personal Information we have collected about you, (b) the business or commercial purposes for the collection,
- **Right to Delete.** You have the right to request that we delete any Personal Information we have collected from you or maintain about you, subject to certain exceptions.
- **Right to Non-Discrimination.** You have the right not to be discriminated against for exercising any of the rights described in this section. We will not discriminate against you for exercising any of the rights described in this section.

9.2 Exercising Your Rights

You may exercise your rights described in this section by sending an e-mail to support@actiontrac.net. To verify your identity, we may request additional information from you, which we will only use to verify your identity, and for security or fraud-prevention purposes.

10. California Do Not Track Disclosures

When you visit a website (such as ActionTrac's website), your browser automatically shares certain information with that website, such as your IP address and other device information, which may also be considered Personal Data under applicable laws. Some of this data may also be sent to third-party content providers (for example: advertisers, website analytic companies, etc.) that provide content on the website. Such sharing may allow the website and/or content providers to track you over time and across multiple websites. You may opt out of any of the above-referenced uses through the Do Not Track functionality in your web browser. Some browsers offer similar settings for HTML5 local storage, and Flash storage can be managed here. Please note, however, that if you refuse to accept cookies, you may not be able to access some of the benefits offered on our Sites. Please visit our Cookie Policy to learn even more about cookies and similar technologies.

11. Children's Privacy

This website is not intended for children under the age of 18. We will not knowingly collect information from website visitors in this age group. By using the Site, you represent that you are age 13 or over. If you believe that a child may have provided his or her Personal Data to us, please contact us using the contact information at the end of this Statement. In the event that we become aware that we have collected Personal Data from a child under the age of 18, we will dispose of that Personal Data immediately.

12. International Transfers of Your Personal Data

By using the website or providing Personal Data to ActionTrac, your Personal Data may be transferred to the United States where ActionTrac is headquartered. If you are not a resident of the United States, your country's laws governing data collection and use may differ from those in the United States. For example, the data protection laws of the United States have not been found by the European Commission to provide the same level of protection as EU data protection law. Some of the third parties with whom we share your Personal Data are also located in third countries that do not provide the same level of protection to your Personal Data. Certain third countries have been officially recognized by the European Commission as providing an adequate level of protection (list available [here](#)) Transfers to third parties located in countries outside the European Economic Area ("EEA") take place using an acceptable data transfer mechanism, such as the EU-U.S. Privacy Shield for transfers to self-certified U.S. organizations, the EU Standard Contractual Clauses, Binding Corporate Rules, approved Codes of Conduct and Certifications or in exceptional circumstances on the basis of permissible statutory derogations.

13. Your EU Privacy Rights

If you are visiting the website from the EU or where applicable EU data protection laws so provide, you have the right to:

Request Access. You have the right to obtain from us a copy of the personal data we hold about you.

Request Correction. You have the right to request the correction of inaccurate Personal Data we hold about you and to have incomplete data completed.

Objection. You have the right, when we process Personal Data on the grounds of legitimate interests, to object to the processing of your Personal Data for compelling and legitimate reasons relating to your particular situation, except in cases where legal provisions expressly provide for that processing. In addition, you have the right to object at any time where your Personal Data is processed for direct marketing purposes.

Portability. You may receive your Personal Data that you have provided to us in a structured, commonly used and machine-readable format and have the right to transmit them to other data controllers without hindrance. This right only exists if the processing is based on your consent or a contract and the processing is carried out by automated means.

Restriction. You may request to restrict processing of your Personal Data (i) while we verify your request – if you have contested the accuracy of the Personal Data about you which we hold; (ii) if the processing is unlawful and you oppose the erasure of it and request restriction instead; (iii) if we no longer need it, but you tell us you need it to establish, exercise or defend a legal claim; or (iv) while we verify your request if you have objected to processing based on public or legitimate interest.

Erasure. You may request to erase your Personal Data if it is no longer necessary for the purposes for which we have collected it, you have withdrawn your consent and no other legal ground for the processing exists, you objected and no overriding legitimate grounds for the processing exist, the processing is unlawful, or erasure is required to comply with a legal obligation.

Right to lodge a complaint. You also have the right to lodge a complaint with a supervisory authority, in particular in the EU Member State of your residence, or the location where the issue that is the subject of the complaint occurred.

Right to refuse or withdraw consent. You have the right to withdraw consent at any time when we are relying on your consent to process personal data. The lawfulness of any processing of your Personal Data that occurred prior to the withdrawal of your consent will not be affected. Withdrawal of consent may result in our inability to provide certain products or services, in which case ActionTrac will notify you after you submit notification of consent withdrawal.

For any questions regarding ActionTrac's approach to enforcement of EU Privacy rights, please contact us at support@actiontrac.net.

14. Cookies Policy

This cookies policy describes the way in which any website (“Site”) operated by ActionTrac stores or accesses information on the device that you use in order to access the Site.

By using the Site, you are providing your consent to ActionTrac storing and using cookies and web beacons in accordance with this cookies policy. However, you can adjust the settings on the browser you use to view the Site to remove or limit the types of cookies that it accepts.

We automatically collect some information about your computer activity when you visit our Sites to help us customize your user experience. We will collect session data, including the time at which you visited our Sites, your IP address, geolocation, web browser software, simple device information, referring website and information collected through cookies, web beacons and other tracking technologies. We will also collect information about your online activity, such as content viewed, pages visited, actions taken on pages, features used and keywords searched.

15. How the Site uses Cookies

We may send a cookie which may be stored by your browser on your computer’s hard drive. We may also use that information to recognize your computer when you visit our Site, and to personalize our Site for you.

Some cookies used on the Site are temporary and remain on your device until you leave the Site, at which point they are deleted. These are often called session cookies. Session cookies are typically used on the Site to allow you to carry information across pages of the Site and avoid having to re-enter information, and to allow you to access stored information whilst you are logged into a user account on the Site.

Other cookies used on the Site remain on your device once you have left the Site (though how long will depend on the lifetime of the specific cookie). These are often called persistent cookies. Persistent cookies are typically used on the Site to help it recognize your device when you return to it, and to help us improve the structure of the Site by compiling anonymous, aggregated statistics that allow us to understand how users use the Site.

The technologies we use for this automatic information collection may include:

- Cookies. Cookies are small files placed on the hard drive of your computer. Unless you have adjusted your browser setting to refuse cookies, our system will issue cookies when you direct your browser to our Sites.
- Flash Cookies. Flash Cookies are local stored objects used by certain features of our Sites to collect and store information about your preferences and navigation to, from and on our Sites. Flash cookies are not managed by the same browser settings as used for browser cookies.
- Web Beacons. Web Beacons are small electronic files (clear gifs, pixel tags and single-pixel gifs), which may be used by parts of our Sites to track the number of users who have visited those pages and other related website statistics (e.g., verification of system and server integrity).

We use these Web Technologies for the following general purposes:

- To help us recognize your browser as a previous visitor and save/remember any preferences you may have set while visiting our Sites. (e.g., we may use cookies to remember your registration information so you need not log into our Sites each time you visit.)
- To help us customize your user experience on our Sites and on other websites across the Internet. (e.g., when you access a web page on our Sites, a cookie is automatically set by us, our service providers or our partners to recognize your browser as you navigate the Internet and to present you with information we believe may be of interest.
- To help measure and research the effectiveness of Site features and offerings and advertisements (e.g., we work with third-party service providers such as Google Analytics to collect data about your use of the Sites).

You may opt out of any of the above-referenced uses through the Do Not Track functionality in your web browser. Some browsers offer similar settings for HTML5 local storage, and Flash storage can be managed here. Please note, however, that if you refuse to accept cookies, you may not be able to access some of the benefits offered on our Sites.

16. COVID-19 Privacy Policy Notice

ActionTrac does not store any specific personal health data as it relates to the company's COVID-19 screening questionnaire solutions. Employee answers to the self assessment questions are not stored and cannot be viewed or accessed. ActionTrac only stores (logs) a "trigger" indicator that informs a specified user (or users) that an employee answered "Yes" to one or more of the screening questions.

This trigger could still be considered identifiable health information. As a result ActionTrac is committed to protecting the privacy of this information as outlined under section six.

17. Contact Us

We have taken great measures to ensure that your visit to our website and your interactions with ActionTrac are satisfying and that your privacy is respected. If you have any questions, comments or concerns about our privacy practices, please contact us by e-mail us at support@actiontrac.net