



# Privacy Policy

We at WorkSpan know you care about how your personal information is used and shared, and we take your privacy seriously. Please read the following to learn more about our Privacy Policy. By using or accessing the Services (as defined below) in any manner, you acknowledge that you accept the practices and policies outlined in this Privacy Policy, and you hereby consent that we will collect, use, and share your information in the following ways.

Remember, if you have signed up for the Workspan Services, your use of the Services is at all times subject to the [User Agreement](#), which incorporates this Privacy Policy. “Service(s)” means access to the platform and features provided by WorkSpan. The Services consist of the features described at [www.workspan.com/](http://www.workspan.com/).

## What does this Privacy Policy cover?

This Privacy Policy covers our treatment of personally identifiable information (“Personal Information”) that we gather when you are accessing or using our Services, but not to the practices of companies we don’t own or control, or people that we don’t manage. We gather various types of Personal Information from our users, as explained in more detail below, and we use this Personal Information internally in connection with our Services, including to personalize, provide, and improve our services, to allow you to set up a user account and profile, to contact you and allow other users to contact you, to fulfill your requests for certain products and services, and to analyze how you use the Services. In certain cases, we may also share some Personal Information with third parties, but only as described below.

We do not knowingly collect or solicit personal information from anyone under the age of 16. If you are under 16, please do not attempt to register for the Services or send any personal information about yourself to us. If we learn that we have collected personal information from a child under age 16, we will delete that information as quickly as possible. If you believe that a child under 16 may have provided us personal information, please contact us at [privacy@workspan.com](mailto:privacy@workspan.com).

## What Information does WorkSpan Collect?

### Information You Provide to Us:

We receive and store any information you knowingly provide to us. For example, through the registration process and/or through your account settings, we may collect Personal Information such as your name, email address, phone number, job title and photo. Certain information may be required to register with us or to take advantage of some of our features. We may communicate with you if you’ve provided us the means to do so. For example, if you’ve given us your email address, we may send you notifications from the application, promotional email offers on behalf of other businesses, or email you about your use of the Services. If you do not want to receive communications from us, please indicate your preference by emailing us at [unsubscribe@workspan.com](mailto:unsubscribe@workspan.com).



### **Information Collected Automatically:**

Whenever you interact with our Services, we automatically receive and record information on our server logs from your browser or device, which may include your IP address, geolocation data, device identification, “cookie” information, the type of browser and/or device you’re using to access our Services, and the page or feature you requested. “Cookies” are identifiers we transfer to your browser or device that allow us to recognize your browser or device and tell us how and when pages and features in our Services are visited and by how many people. You may be able to change the preferences on your browser or device to prevent or limit your device’s acceptance of cookies, but this may prevent you from taking advantage of some of our features.

If you click on a link to a third party website or service, a third party may also transmit cookies to you. Again, this Privacy Policy does not cover the use of cookies by any third parties, and we aren’t responsible for their privacy policies and practices. Please be aware that cookies placed by third parties may continue to track your activities online even after you have left our Services, and those third parties may not honor “Do Not Track” requests you have set using your browser or device.

We may use this data to customize content for you that we think you might like, based on your usage patterns. We may also use it to improve the Services – for example, this data can tell us how often users use a particular feature of the Services, and we can use that knowledge to make the Services interesting to as many users as possible.

### **Will WorkSpan Share Any of the Personal Information it Receives?**

We do not rent or sell your Personal Information in personally identifiable form to anyone. We may share your Personal Information with third parties as described in this section:

**Information that’s been de-identified:** We may de-identify your Personal Information so that you are not identified as an individual, and provide that information to our partners. We may also provide aggregate usage information to our partners (or allow partners to collect that information from you), who may use such information to understand how often and in what ways people use our Services, so that they, too, can provide you with an optimal online experience. However, we never disclose aggregate usage or de-identified information to a partner (or allow a partner to collect such information) in a manner that would identify you as an individual person.

**Affiliated Businesses:** In certain situations, businesses or third party websites we’re affiliated with may sell or provide products or services to you through or in connection with the Services (either alone or jointly with us). For example, we may provide access to third-party integrations and if you choose to activate any of these integrations, we may share certain information necessary for such third parties to provide services to you. You can recognize when an affiliated business is associated with such a transaction or service, and we will share your Personal Information with that affiliated business only to the extent that it is related to such transaction or service. We have no control over the policies and practices of third party websites or businesses as to privacy or anything else, so if you choose to take part in any transaction or service relating to an affiliated website or business, please review all such business’ or websites’ policies.



**Agents:** We employ other companies and people to perform tasks on our behalf and need to share your information with them to provide products or services to you; for example, we may use a payment processing company to receive and process your credit card transactions for us. Unless we tell you differently, our agents do not have any right to use the Personal Information we share with them beyond what is necessary to assist us. Note that an “agent” may also be considered a “partner” in certain circumstances, and would be subject to the terms of the “Information that’s been de-identified” section in that regard.

**User Profiles and Submissions:** Certain user profile information, including your name, location, and any video or image content that such user has uploaded to the Services, may be displayed to other users to facilitate user interaction within the Services or address your request for our services. Your user name may also be displayed to other users if and when you send messages or comments or upload images or videos through the Services and other users can contact you through messages and comments. Your account settings may allow you to specify certain other users who can see the Personal Information in your user profile and/or other content you upload to the Services. Please remember that any content you upload to your shared user profile, along with any Personal Information or content that you voluntarily disclose online in a manner other users can view (on discussion boards, in messages and chat areas, etc.) becomes available to other users of the Services, and can be collected and used by such users.

**Business Transfers:** We may choose to buy or sell assets, and may share and/or transfer customer information in connection with the evaluation of and entry into such transactions. Also, if we (or our assets) are acquired, or if we go out of business, enter bankruptcy, or go through some other change of control, Personal Information could be one of the assets transferred to or acquired by a third party.

**Protection of WorkSpan and Others:** We reserve the right to access, read, preserve, and disclose any information that we believe is necessary to comply with law or court order; enforce or apply our [User Agreement](#) and other agreements; or protect the rights, property, or safety of WorkSpan, our employees, our users, or others.

## **Is Personal Information about me secure?**

Your account is protected by a password for your privacy and security. You must prevent unauthorized access to your account and Personal Information by selecting and protecting your password appropriately and limiting access to your computer or device and browser by signing off after you have finished accessing your account.

We endeavor to protect the privacy of your account and other Personal Information we hold in our records, but unfortunately, we cannot guarantee complete security. Unauthorized entry or use, hardware or software failure, and other factors, may compromise the security of user information at any time.



## **What Personal Information can I access?**

Through your account settings, you may access, and, in some cases, edit or delete the following information you've provided to us:

- name and password
- email addresses
- location
- job title, description and company information
- user profile information, including images, work expertise, and/or interests you have uploaded to the site.

The information you can view, update, and delete may change as the Services change. If you have any questions about viewing or updating information we have on file about you, please contact us at [privacy@workspan.com](mailto:privacy@workspan.com).

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to contact us to prevent disclosure of Personal Information to third parties for such third parties' direct marketing purposes; in order to submit such a request, please contact us at [privacy@workspan.com](mailto:privacy@workspan.com).

## **What choices do I have?**

You can always opt not to disclose information to us, but keep in mind some information may be needed to register with us or to take advantage of some of our features.

You may be able to add, update, or delete information as explained above. When you update information, however, we may maintain a copy of the unrevised information in our records. You may request deletion of your account by sending an email to [privacy@workspan.com](mailto:privacy@workspan.com). Some information may remain in our records after your deletion of such information from your account. We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally.

## **What if I have questions about this policy?**

If you have any questions or concerns regarding our privacy policies, please send us a detailed message to [privacy@workspan.com](mailto:privacy@workspan.com), and we will try to resolve your concerns.

## **EU Residents**

If you are a resident of the European Union ("EU"), United Kingdom, Lichtenstein, Norway, or Iceland, you may have additional rights with respect to your Personal Data processed in connection with the Services, as outlined below.



For this section, we use the terms “Personal Data” and “processing” as they are defined in the EU General Data Protection Regulation (the “GDPR”), but “Personal Data” generally means information that can be used to individually identify a person, and “processing” generally covers actions that can be performed in connection with data such as collection, use, storage and disclosure.

If there are any conflicts between this section and any other provision of this Privacy Policy, the policy or portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following applies to you, please contact us at [privacy@workspan.com](mailto:privacy@workspan.com).

**Categories of Personal Data:** Company will be the controller of your Personal Data processed in connection with the Services. We collect Personal Data about you when you provide such information directly to us, when third parties such as our business partners or service providers provide us with Personal Information about you, or when Personal Data about you is automatically collected in connection with your use of our Services.

Information received directly from you: We may receive Personal Data directly from you if you provide us with such Personal Data, including without limitation the following:

- First and last name
- Email address
- Telephone number
- Profile picture
- IP Address
- User added content (which may include Personal Data if you include Personal Data in such content)

Information received from third party sources: Third parties such as your employer or sponsoring organization, other users of the Services, and our vendors and service providers may provide us with Personal Data about you, such as the following:

- **Profile information from your employer:** Your employer or sponsoring organization may provide us with your contact and employment information to assist with setting up and registering your account with the Services.
- **Information from other users of the Services:** The Services enable users to upload and share content and to interact and communicate with other users. Other users of the Services may submit your contact information or other Personal Data to the Services as part of their use of the Services.
- **Account information for third party services:** If you interact with a third party service when using our Services, such as if you use a third party service to log-in to our Services (e.g., Facebook Connect or Twitter OAuth), or if you share content from our Services through a third party social media service, the third party service may send us information about you, such as information from your public profile. The information we receive will depend on the policies and your account settings with the third party service.



Information automatically collected when you use our Services: Some Personal Data is automatically collected when you use our Services, such as the following:

- IP address
- Device identifiers
- Web browser information
- Page view statistics
- Usage information
- Cookies and other tracking technologies (e.g. web beacons, pixel tags, SDKs, etc.)
- Location information (e.g. IP address, zip code)
- Log data (e.g. access times, hardware and software information)

**Processing of Personal Data:** We process Personal Data to operate, improve, understand and personalize our Services. For example, we may use Personal Data to:

- Create and manage user profiles
- Communicate with you about the Services
- Enable communication and collaboration between users of the Services
- Contact you about Service announcements, updates or offers
- Provide support and assistance for the Services
- Provide your employer or sponsoring organization with information about your usage of the Services
- Personalize content and communications based on your preferences
- Meet contract or legal obligations
- Respond to user inquiries
- Fulfill user requests
- Comply with our legal or contractual obligations
- Resolve disputes
- Protect against or deter fraudulent, illegal or harmful actions
- Enforce our Terms of Service

We will only process your Personal Data if we have a lawful basis for doing so. Lawful bases for processing include consent, contractual necessity and our “legitimate interests” or the legitimate interest of others.

- **Contractual Necessity:** We process some Personal Data as a matter of “contractual necessity,” meaning that we need to process the data to perform under our Terms of Service with you, which enables us to provide you with the Services. If data is processed due to contractual necessity, failure to provide such Personal Data will result in your inability to use some or all portions of the Services that require such data.
- **Legitimate Interest:** We also process Personal Data when we believe it furthers the legitimate interest of us or third parties. Examples of these legitimate interests include:
  - Operation and improvement of our business, products and services
  - Marketing of our products and services
  - Provision of customer support
  - Protection from fraud or security threats

- o Compliance with legal obligations
- o Completion of corporate transactions
- **Consent:** In some cases, we process Personal Data based on the consent you expressly grant to us at the time we collect such data.
- **Other processing grounds:** From time to time we may also need to process Personal Data to comply with a legal obligation, if it is necessary to protect the vital interests of you or other data subjects, or if it is necessary for a task carried out in the public interest.

**Disclosure of Personal Data:** We provide Personal Data to third parties as necessary to operate, improve or understand our business, services or products. These third parties include individuals and entities who perform services for us, with whom we have business relationships or to whom you authorize us to provide such information (including by sharing your information with other users of the Services or posting your information on publicly viewable portions of the Services), such as:

- Your employer or sponsoring organization Data processors
- Other users of the Services (the scope of such disclosure depends on your use of the Service and your interactions with other users)
- Payment processors
- Fraud prevention service providers
- Analytics service providers
- Staff augmentation and contract personnel
- Hosting service providers
- Co-location service providers
- Telecommunications service providers
- Social media services (if you interact with them through your use of the Services)
- Law enforcement or governmental agencies
- Other parties authorized by you

We also share Personal Data when we believe it is necessary to:

- Comply with applicable law or respond to valid legal process, including from law enforcement or other government agencies
- Protect us, our business or our users, for example to enforce our terms of service, prevent spam or other unwanted communications and investigate or protect against fraud
- Maintain the security of our products and services

We also share information with third parties when you give us consent to do so.

Last, we share Personal Data with our affiliates or other members of our corporate family. Furthermore, if we choose to buy or sell assets, user information is typically one of the transferred business assets. Moreover, if we, or substantially all of our assets, were acquired, or if we go out of business or enter bankruptcy, user information would be one of the assets that is transferred or acquired by a third party, and we would share Personal Data with the party that is acquiring our assets. You acknowledge that such transfers may occur, and that any acquirer of us or our assets may continue to use your Personal Information as set forth in this policy.

**Data retention:** We retain Personal Data about you for as long as you have an open account with us or as otherwise necessary to provide you Services. In some cases we may retain Personal Data for longer if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. Afterwards, we may retain information in a depersonalized or aggregated form but not in a way that would identify you personally.

**Security measures:** We seek to protect Personal Data using appropriate technical and organizational measures based on the type of Personal Data and applicable processing activity. For example, Personal Data is pseudonymized, data is encrypted by storage service to keep data private and protected, when transferring data over network – it is protected by security technology like HTTPS and Transport Layer Security. We do not guarantee or warrant that such techniques will prevent unauthorized access to information about you that we store, Personal Information or otherwise.

**Personal Data of children:** We do not knowingly collect or solicit Personal Data from anyone under the age of 16. If you are under 16, please do not attempt to register for the Services or send any Personal Data about yourself to us. Parents and legal guardians must monitor their children’s Internet usage and to help enforce this Privacy Policy by instructing their children never to provide personal data through the Services or Website. If we learn that we have collected Personal Data from a child under age 16, we will delete that information as quickly as possible. If you believe that a child under 16 may have provided us Personal Data, please contact us at [privacy@workspan.com](mailto:privacy@workspan.com).

**Your rights with respect to your Personal Data:** You have certain rights with respect to your Personal Data, including those set forth below. For more information about these rights, or to submit a request, please email [privacy@workspan.com](mailto:privacy@workspan.com). Please note that in some circumstances, we may not be able to fully comply with your request, such as if it is frivolous or extremely impractical, if it jeopardizes the rights of others, or if it is not required by law, but in those circumstances, we will still respond to notify you of such a decision. In some cases, we may also need to you to provide us with additional information, which may include Personal Data, if necessary to verify your identity and the nature of your request.

- **Access:** You may request more information about the Personal Data we hold about you and request a copy of such Personal Data. You may also access certain of your Personal Data by logging into your account with the Services.
- **Rectification:** If you believe that any Personal Data we are holding about you is incorrect or incomplete, you can request that we correct or supplement such data. You can also correct some of this information directly by updating your information through your account with the Services.
- **Erasure:** You can request that we erase some or all of your Personal Data from our systems. Please be aware that we require your employer or sponsor organization’s consent before erasing data from our systems. All requests for erasure must be sent to the administrator of your employer or sponsor’s account with the Services.
- **Withdrawal of Consent:** If we are processing your Personal Data based on your consent (as indicated at the time of collection of such data), you have the right to withdraw your



consent at any time. Please note, however, that if you exercise this right, you may have to then provide express consent on a case-by-case basis for the use or disclosure of certain of your Personal Data, if such use or disclosure is necessary to enable you to utilize some or all of our Services.

- **Portability:** You can ask for a copy of your Personal Data in a machine-readable format. You may also request that we transmit the data to another controller where technically feasible.
- **Objection:** You can contact us to let us know that you object to the further use or disclosure of your Personal Data for certain purposes.
- **Restriction of Processing:** You can ask us to restrict further processing of your Personal Data.
- **Right to File Complaint:** You have the right to lodge a complaint about Company's practices with respect to your Personal Data with the supervisory authority of your country or EU Member State.

**Transfers of Personal Data:** The Services are hosted and operated in the United States ("U.S.") through Company and its service providers, and laws in the U.S. may differ from the laws where you reside. By using the Services, you acknowledge that any Personal Data about you, regardless of whether provided by you or obtained from a third party, is being provided to Company in the U.S. and will be hosted on U.S. servers, and you authorize Company to transfer, store and process your information to and in the U.S., and possibly other countries. You hereby consent to the transfer of your data to the U.S. for cross-border transfer: (i) a data processing agreement incorporating standard data protection clauses promulgated by the European Commission Implementing Decision 2021/914 of 4 June 2021 on standard contractual clauses for the transfer of personal data to third countries pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council, a copy of which can be obtained at [https://eur-lex.europa.eu/eli/dec\\_impl/2021/914/oj?uri=CELEX%3A32021D0914&locale=en](https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?uri=CELEX%3A32021D0914&locale=en), (ii) binding corporate rules for data protection that align with the GDPR's requirements, or (iii) adherence to an industry- or technology-specific approved code of conduct approved by the European Commission.

**Your California Privacy Rights:** Under the California Consumer Privacy Act of 2018 ("CCPA"), effective January 1, 2020, if you are a California resident, you have rights to understand and request that we disclose how we collect, use, disclose, and sell your Personal Data to the extent permitted by applicable law.

**Right to Know About Personal Data Collected, Disclosed, or Sold.** You have the right to request that we disclose what Personal Data we collect, use, disclose, and sell.

**Right to Request Deletion of Personal Data.** You have the right to request the deletion of your Personal Data collected or maintained by us as a business. **Right to Opt-Out of the Sale of Personal Data.** You have the right to opt-out of the sale of your Personal Data by us as a business, in the event, we sell Personal Data.



**Right to Non-Discrimination for the Exercise of Your Privacy Rights.** You have the right not to receive discriminatory treatment by us for the exercise of your privacy rights conferred by the CCPA.

**Authorized Agent.** You may designate an authorized agent to make a request under the CCPA on your behalf by us with a copy of your power-of-attorney document granting that right.

**Financial Incentives.** We do not provide any financial incentives tied to the collection, sale, or deletion of your Personal Data.

If you would like to make a request and exercise your rights described above, send an email to [privacy@workspan.com](mailto:privacy@workspan.com), or contact us at the address listed below. If you would like to opt-out of Personal Data sharing with marketing and advertising third parties through the use of cookies, please see the section above on Your Privacy Choices. Since there is no reasonable way for us to verify the information that we process on behalf of our customers, we will not respond to any requests in relation to data we hold on behalf of our customers.

**Changes to this Privacy Policy:** We may update this Privacy Policy to reflect changes to our privacy practices. In any event, your continued use of the Services and/or our website following any such change to this Privacy Policy constitutes your consent and agreement to any such changes. We encourage you to periodically review this Privacy Policy for the latest information on our privacy practices.

**Contact:** If you have any questions about this section or our data practices generally, please contact us by sending email to [privacy@workspan.com](mailto:privacy@workspan.com) or by mail at 473 E. Carnegie Dr., Suite 200, San Bernardino, CA 92408, USA Attn: Privacy Officer

**Privacy Policy version 20220908: Effective date: September 8, 2022**