

# RatePointBI.com Online Privacy Notice

(Updated December 12, 2020)

RatePoint is committed to protecting the privacy of our users. We want to provide a safe and secure user experience. We endeavor to ensure that the information you submit to us remains private, and use it only for the purposes as set forth herein. The following sets forth the Online Privacy Notice (“Privacy Notice” or “Notice”) for RatePoint’s website (ratepointbi.com).

## Privacy Policy

RatePoint adheres to the following:

- We collect, retain and use user personal data for legitimate business purposes only. We limit the personal data we collect to that which we believe is appropriate and necessary to manage user needs, provide our services and comply with applicable laws.
- We strive to maintain the accuracy of user personal data.
- Our employees are required to protect personal data. We have internal policies and programs designed to protect personal data.
- We limit the internal and external disclosure of personal data.

We provide security safeguards to protect user personal data. Multiple security layers, including firewalls, sensor and host-based intrusion detection, protect all personal data. Personal data is scrambled using encryption technology before it is sent over the internet. Although we cannot guarantee encryption or the privacy of user personal data, the encryption technology makes it very difficult for personal data to be stolen or intercepted while being transferred.

## **For California Residents**

This Privacy Notice provides information to California residents whose personal information is processed pursuant to the California Consumer Privacy Act of 2018 (“CCPA”). It describes the categories of personal information RatePoint collects and the purposes for which that information is collected. It also summarizes the rights California residents have and how they may exercise these rights. California residents may have the right to request access to the personal information we have collected about them, and deletion of the personal information we have collected from them. These rights are described in more detail below in the section entitled “User Rights Concerning Personal Data.” If you only have a business or employment relationship with us (e.g., you are an employee or contingent worker), these rights below may only be available to you after January 1, 2021, or as required by law. For purposes of this Notice, the term “personal data” has the same meaning as the term “personal information” is defined in the CCPA.

## **For Residents of the European Union, United Kingdom, European Economic Area and Switzerland**

With respect to the personal data of individuals in the European Union, United Kingdom, European Economic Area and Switzerland, RatePoint complies with the EU-US Privacy Shield Framework and Swiss-US Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union, United Kingdom, and Switzerland, respectively, to the United States. RatePoint has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this Privacy Notice and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>. The principles we follow can be summarized as follows:

1. Notice: RatePoint will inform European Union, United Kingdom, and Swiss users of our data handling practices, which are set forth in this Notice. This includes, for example, the type of data collected, the purpose of processing it, and the conditions for onward transfers to third parties.

2. Choice: RatePoint will give users the opportunity to opt out of having their data disclosed to third parties (other than agents assisting RatePoint with the processing of the data), or having their data used in a manner that exceeds the original disclosures.

3. Accountability for Onward Transfer: Transfers of data by RatePoint to other data controllers or processors can only occur: (i) for limited and specified purposes described below; (ii) on the basis of a contract; and (iii) only if that contract provides the same level of protection as the Privacy Shield Principles. In the context of an onward transfer RatePoint is responsible for the processing of personal data it receives under each Privacy Shield Framework, and subsequently transfers to a third party acting as an agent on behalf of RatePoint. RatePoint complies with the Privacy Shield Principles for all onward transfers of personal data from the EU and Switzerland, including the onward transfer liability provisions. RatePoint shall remain liable under the Principles if its agent processes such personal information in a manner inconsistent with the Principles, unless RatePoint proves that it is not responsible for the event giving rise to the damage.

4. Security: RatePoint will take reasonable and appropriate security measures to protect personal data from loss, misuse, and unauthorized access, disclosure, alteration and destruction. If RatePoint uses a sub-processor, we will ensure that our contract with the sub-processor provides the same level of protection as provided by the Privacy Shield Principles.

5. Data Integrity and Purpose Limitation: RatePoint will take reasonable steps to ensure

the personal data is reliable for its intended use, and is accurate, complete and current. The data used should be limited to that which is relevant to the purpose of the processing, and not processed in a manner that is incompatible with the purpose for which it was originally collected or subsequently authorized by the data subject.

6. Access: Data subjects have the right to obtain confirmation of whether RatePoint is processing their data, and get a copy of the data. Users are also able to correct or delete personal data where it is inaccurate or has been processed in violation of the Privacy Shield Principles, except where the burden or expense of providing access would be disproportionate to the risks to the individual's privacy in the case in question, or where the rights of persons other than the data subject will be violated.

7. Recourse, Enforcement and Liability: RatePoint is subject to the jurisdiction of the United States Federal Trade Commission, which has the right to enforce RatePoint's compliance with the Privacy Shield Programs.

a. EU- US Privacy Shield: RatePoint has further committed to cooperating with EU data protection authorities ("DPAs") with regard to unresolved EU- US Privacy Shield complaints. If a user does not receive timely acknowledgment from us of their complaint, or if we have not addressed the complaint to their satisfaction, they should contact the EU or UK DPAs (as applicable) for more information or to file a complaint. The services of EU and UK DPAs are provided at no cost to users.

b. Swiss- US Privacy Shield: RatePoint is also committed to cooperating with the Swiss Federal Data Protection and Information Commissioner. When covering non-HR data received from Switzerland, RatePoint is committed to cooperating with and complying with the advice of the Commissioner.

c. RatePoint is committed to cooperating with the EU and UK DPAs and the Swiss Federal

Data Protection and Information Commissioner (FDPIC) and complying with the advice given by such authorities with regard to human resources data transferred from the EU, UK and Switzerland in the context of the employment relationship.

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

RatePoint  
1150 Iron Point Road, Ste. 100  
Folsom, CA 95630  
United States

If you do not receive timely acknowledgement of your complaint from us, or if we have not addressed your complaint to your satisfaction, you can at any time lodge a complaint with the data protection authority of the EEA country where you live or with the data protection authority of the country or state where the RatePoint controller that collected your personal data has its registered seat. A list of the national data protection authorities can be found here: [http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm)

Under certain conditions, you may invoke binding arbitration for complaints regarding Privacy Shield compliance that are not resolved by following the above complaint procedures. More information on binding arbitration can be found here: <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>

## **Categories of Information Collected and Processed**

RatePoint uses many sources of information to help us meet our needs and the needs of our customers and users. RatePoint may collect personal information about users including:

- User name and other contact details shared with us when users call, write to, or contact us using our websites, requesting information about RatePoint contingent workforce management services; and
- Information about users when they apply for a job with us through the career opportunities feature on our websites (for example, user name and contact details, and information about their working history that is contained in their résumé).

RatePoint is headquartered in the United States, and any data collected from users is processed in the United States. User personal data is collected and transferred only:

- To provide users with information about the types of services that RatePoint performs for its customers. For example, upon request we may provide users information about RatePoint and its service offerings so that users can consider whether it might be interested in using our services.
- To perform a contract with the user, or to implement pre-contractual measures taken at the user's request. For example, users who provide their personal data through our career opportunities features will be considered for available jobs, and may be contacted with offers of an employment relationship.

For the purposes described in this Notice, RatePoint may disclose the personal data of users:

- To any of our related RatePoint companies
- To government agencies or individuals appointed by a government responsible for the investigation and resolution of disputes or complaints; or
- As otherwise required or authorized by law.

## **RatePoint does not:**

- Use the data collected in any form of automated decision-making.
- Collect or process “special categories of personal data” as that term is used in the EU General Data Protection Regulations (GDPR), Article 9, e.g., we do not collect or process data revealing the user’s racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health data, or data concerning user sex life or sexual orientation.
- Collect or process personal data of persons who are less than 16 years old.

## **Cookies**

To make this site work properly, we sometimes place small data files called cookies on your device. Most big websites do this too.

### **What are cookies?**

A cookie is a small text file that a website saves on your computer or mobile device when you visit the site. It enables the website to remember your actions and preferences (such as login, language, font size and other display preferences) over a period of time, so you don’t have to keep re-entering them whenever you come back to the site or browse from one page to another.

### **How do we use cookies?**

RatePoint sites use the following cookies:

#### **Google Analytics**

Google Analytics uses cookies to measure user-interactions on our website. Google

Analytics is a simple, easy-to-use tool that helps RatePoint measure how users interact with website content. As a user navigates between web pages, Google Analytics provides us with JavaScript tags (libraries) to record information about the page a user has seen, for example the URL of the page. The Google Analytics JavaScript libraries use HTTP Cookies to "remember" what a user has done on previous pages / interactions with the website.

### Marketo

Marketo uses a cookie value set (`_mkto_trk`) by its Munchkin JavaScript library in order to identify individual users on the domain of our site. The cookie, which sets to a user's browser, lasts up to two years, and is automatically renewed each time the user visits a page.

### HubSpot

HubSpot uses cookie tracking to give us context of our site's visitors. The cookie (`_hstc`) is for tracking visitors. It contains the domain, `utk`, initial timestamp (first visit), last timestamp (last visit), current timestamp (this visit), and session number (increments for each subsequent session).

### How to control cookies

You can control and/or delete cookies as you wish – for details, see [www.aboutcookies.org](http://www.aboutcookies.org). You can delete all cookies that are already on your computer and you can set most browsers to prevent them from being placed. If you do this, however, you may have to manually adjust some preferences every time you visit a site and some services and functionalities may not work.

RatePoint does not track its users when they cross to third party websites, and does not use targeted advertising, and therefore does not respond to Do Not Track signals.



RatePoint sites contain links to other websites. RatePoint is not responsible for the privacy practices or the content of such other websites. The privacy policies applicable to such other websites may differ substantially from this Privacy Notice, so we advise users to read them before using those websites. RatePoint will not be liable for any use of those websites.

## **Data Storage and Retention**

RatePoint stores user personal data, as described herein, on its servers, which are located in the United States. RatePoint retains user information only for as long as is necessary to fulfill the stated purposes for which it is collected, or as required by applicable laws or regulations.

- Personal data that is provided by users who are seeking information about RatePoint's services will be retained for the duration of the complete potential sales cycle with your organization, not to exceed five years.
- Personal data that is provided by users through the career opportunities feature will be retained for up to two years.

## **User Rights Concerning Personal Data**

Users have a right to access the personal data RatePoint holds about them. To obtain a copy of the personal data we hold, at no cost to them, users should write or email us at the address shown below. If access cannot be provided within a reasonable time, we will provide users with an estimate of the amount of time that will be needed to provide access. If for some reason access is denied, we will inform users of the reason for that denial.

Users may also request information about the purposes of RatePoint's processing of their

personal data, the categories of personal data concerned, whether any party outside RatePoint might have received the data from RatePoint, the source of the data if the user did not provide it themselves, and how long it will be stored. If users discover that any of their personal data is inaccurate, they have a right to have that data corrected.

Users may request that RatePoint erase their personal data or cease processing it, subject to certain exceptions. In many countries, users have a right to bring a complaint to the appropriate data protection authority if they have concerns about how RatePoint processes their data.

When technically feasible, at a user's request RatePoint will provide their personal data to them or transmit it directly to another controller or processor. For any questions or requests related to user personal data, please contact us at the address shown below.

### **Updates and Changes to this Privacy Notice**

By using the RatePoint website, users agree to the terms and conditions of this Privacy Notice. If users do not agree to any of these terms and conditions, they should not use the RatePoint websites. If we change our privacy policies, we will update this document so that users are always aware of what information we collect, how it is used, and under what circumstances it may be disclosed. RatePoint reserves the right to modify, alter, or update this Notice at any time and without advance notice. This Notice is effective as of the date that appears at the top of this document. In the event of any questions about our privacy policies or related matters, please contact us at [privacy@ratepointbi.com](mailto:privacy@ratepointbi.com).

### **Contact Us**

In the event you have any questions or complaints, access requests or other concerns or issues arising from your use of our websites or our privacy policies, please contact our

Data Protection Officer:

RatePoint

1150 Iron Point Road, Ste. 100

Folsom, CA 95630

United States