

I.K. HOFMANN USA, INC. PRIVACY SHIELD PRIVACY POLICY

Last modified and effective as of 4/15/19

I.K. Hofmann USA, Inc. (“Company” or “we”) provides professional recruitment services to employers in the U.S. I.K. Hofmann USA, Inc. complies with the EU-U.S. Privacy Shield Framework (“Framework”) as set forth by the U.S. Department of Commerce (“DOC”) regarding the collection, use, and retention of certain personal data transferred from the European Economic Area (“EEA”) to the United States. I.K. Hofmann USA, Inc. has certified to the DOC that it adheres to the Privacy Shield Principles (“Principles”). Company is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission (“FTC”). To learn more about the Privacy Shield Program and to view our certification, please visit www.privacyshield.gov.

This policy (“Policy”) outlines our general policies and procedures for implementing the Privacy Shield Framework and should be read in conjunction with our I.K. Hofmann USA, Inc. website privacy policy. Please note we may amend this Policy as required and consistent with the Principles. If there is any conflict between the terms of this Privacy Shield Policy (“Policy”) and the Principles, the Principles shall govern. We will post a notice of the material changes on the top of this Policy, on our website homepage, or in our website privacy policy. Material changes will apply to personal data we collect or receive prior to the change unless they reduce the rights of the individuals whose personal data is impacted.

If you have questions, or would like additional information, please contact us at ikhusaprivacy@hofmannusa.com

Definitions. For the purpose of this Policy, the following definitions apply:

‘Personal Data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

‘Special categories of personal data’ means data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation.

Notice

Categories of Data

We may collect or receive personal data transferred from the EEA that includes the following:

- Applicant-related data for individuals interesting in positions with our clients, as described in our website privacy policy <https://www.hofmann.info/us/privacy-policy/> including name, contact information, employment history, educational background

- Client-related data as described in our website privacy policy <https://www.hofmann.info/us/privacy-policy/> including name, contact information

Data Integrity and Purpose Limitation

We take reasonable steps to limit the collection of your Personal Data to that which is necessary to accomplish the purpose disclosed to you and compatible purposes.

We will retain your Personal Information in an identifiable form only for the period necessary to fulfil the purposes of the processing, unless a longer retention period is required or permitted by law or by the Principles. We will adhere to the Principles for as long as we retain the Personal Information collected under the Privacy Shield.

How We Use Your Data

In general, we will use the information we receive or collect about you only for the purpose it was collected, for compatible purposes, as permitted or required by law, as necessary to carry out our contractual duties and obligations, and as otherwise provided in this Policy or our website privacy policy. <https://www.hofmann.info/us/privacy-policy/> For example, we may use your information to:

- To respond to your requests for information or communicate with you about our professional services and related issues.
- To provide you with the professional services you have purchased or requested and related support.
- To process, store, or transfer applicant related personal data to prospective employers.
- To communicate with you about your application and recruitment related activities.
- To Maintain our ATS (Applicant tracking system) system
- To protect against and prevent fraud, illegal activity, and claims and other liabilities or to assist law enforcement agencies;
- To investigate and establish a legal claim or defend ourselves against any third-party allegations or claims.
- To protect our interests and legal rights, such as through responding to subpoenas and defending litigation
- For our research and development efforts to evaluate or improve the professional services we provide to you.
- For other everyday business purposes including financial account management, contract management, IT and website administration, fulfillment, analytics, fraud prevention, corporate governance, reporting and legal compliance.

- To transfer, as necessary, for our legal, regulatory, auditing, or operational needs.
- To market our professional services that we think may be of interest to you.
- To ensure your information is accurate and/or to personalize our services for you.

Your Choices

Prior to disclosing Personal Data to a third party, other than those categories of parties identified above, or prior to using that Personal Data for a purpose materially different from the one for which it was collected or authorized, we will permit you to opt in or opt out of such disclosure (as required by applicable law).

Prior to disclosing Special Categories of Personal Data to a third party, other than those categories of parties identified below, or prior to using that Personal Data for a purpose materially different from the one for which it was collected or authorized, we will permit you to affirmatively and explicitly opt in to such disclosure (as required by applicable law).

Your Access Rights

You may have additional rights relating to your personal data, subject to limitations. We will request certain information to confirm your identity and/or assist us in searching for your personal data. Your request may be limited or denied where providing access would be unreasonably burdensome or expensive, where the rights of non-requesting individuals would be adversely affected, or you are unable to present appropriate identification to verify your identity.

Your rights may include the following, where applicable:

- Access or request a copy of your personal data
- Rectify or amend inaccurate personal data
- Request deletion of your personal data where it has been processed in violation of the Principles

Exercising Your Rights

To exercise your rights you may contact us at: ikhusaprivacy@hofmannusa.com

Please note you will be required to provide adequate identification to verify your identity. We are not responsible for requests that are not sent by email to the above address or lack sufficient information to identify you or the nature of your request. We require that your request include your:

- Name
- Date of birth
- address
- email address

- nature of the request
- your relationship with us
- the date range for the relevant personal data
- preference for whether our response should be mailed or emailed to you

We may request additional information to verify your identity, as necessary.

Safeguarding Your Information

We take reasonable and appropriate physical, technical, and administrative measures to protect the personal data we receive or collect from the EEA to guard against loss, misuse or unauthorized access, disclosure, alteration or destruction. No system for safeguarding personal data or other information is 100% secure and although we have taken steps to protect personal data, we cannot fully eliminate security risks associated with personal data.

Onward Transfer

In general, we do not sell, trade or otherwise share personal data transferred to us from the EEA with unaffiliated third parties except with your consent and/or as described in this Policy, our website privacy policy, or as required or permitted by law. We may disclose your information for the same reasons that we may use it as described in this Policy, which includes disclosing it to our affiliates and non-affiliated entities, as we deem necessary to carry out those purposes.

- Third Party Vendors. We may disclose this information to our third party vendors for reasons including the following:
 - With your consent or as you direct
 - To transfer, as necessary, for our legal, regulatory, auditing, or operational needs.
 - For other everyday business purposes including financial account management, IT and website administration, analytics
 - To ensure your information is accurate and/or to personalize our services for you.
 - To provide you with professional services or offers
 - To process, store, or transfer applicant-related personal data to prospective employers
 - Maintain our ATS system
 - To protect our interests and legal rights, such as through responding to subpoenas and defending litigation
 - To protect against and prevent fraud, illegal activity, and claims and other liabilities
 - To review and process applications for employment with us
 - To provide relevant training

We endeavor to choose affiliates and non-affiliate companies with similar standards to ours regarding the protection of data and who are either subject to a law providing an adequate level of privacy protection or have agreed to provide an adequate level of protection. These companies are generally not authorized to use the information we disclose to them for any other purpose.

We remain liable for the failure of a third party who processes personal data on our behalf to comply with the Principles unless we are able to demonstrate that we are not responsible for the event giving rise to the damage.

- **Clients.** We may disclose applicant personal data (non-Company data) transferred from the EEA to clients who are prospective employers and may be interested in your application-related information.
- **Legal Process, Security, Defense, Protection.** We may disclose information about you to a public authority or if required by law, subpoena, or other legal process including for national security or law enforcement. Additionally, we may disclose information about you if we have a good faith belief that disclosure is reasonably necessary to:
 - demonstrate our relationship with you;
 - investigate, prevent, or take action regarding suspected or actual illegal activities or to assist law enforcement agencies;
 - investigate and establish a legal claim or defend ourselves against any third-party allegations or claims.
- **Change in Control or Sale.** We may share, sell, assign, or license your information in connection with certain business transactions, such as a sale, acquisitions, merger, or change in control, or in preparation for any of these events. In such cases, we will take appropriate steps under the circumstances and to the extent possible to ensure that the recipient agrees to provide privacy protections substantially similar to those established by this Policy. Any entity that acquires all or substantially all of the Company's assets will have the right to continue using your information consistent with this Policy or as otherwise agreed to by you.
- **Aggregate or De-Identified Data.** We may share or make public aggregate or de-identified data derived from personally identifiable information. Such information, however, will not identify you or any other individual.

Recourse, Enforcement and Liability

In compliance with the EU-US Privacy Shield Principles, we are committed to resolving complaints concerning our processing of Personal Data in accordance with the Principles. You may submit a complaint to us by clicking here ikhusaprivacy@hofmannusa.com.

In the event we are unable to satisfactorily resolve your complaint you may contact the following organization to assist you in resolving your complaint. Please click on this link: [JAMS](#)

Under certain circumstances, you may invoke binding arbitration to determine whether Hofmann US has violated its obligations to you under the Principles and whether any such violation remains fully or partially unremedied (“residual claims”). Please follow this link for additional information.

<https://www.privacyshield.gov/article?id=G-Arbitration-Procedure>

Contact Information

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