



# PRIVACY POLICY

Universal Data Corporation

## Abstract

Privacy Policy Provisions at  
Universal Data Corporation

Version 1.2

Effective January 1, 2018

# Privacy Policy

## OVERVIEW

Universal Data Corporation (“Universal Data”) respects the privacy of the confidential data it receives. Universal Data follows the provisions of the Universal Data has certified that it abides by the EU - U.S. Privacy Shield and Swiss – U.S. Privacy Shield (“Privacy Shield”) principles as agreed between the U.S. Department of Commerce and the European Commission and Swiss Administration regarding the processing of Personal Data transferred from the European Economic Area (“EEA”) and/or Switzerland to the United States (“Privacy Shield Principles”). This Privacy Shield Policy (“Policy”) outlines our general policy and practices for implementing and complying with the Privacy Shield Principles for Personal Data, including both human resources (HR) and non-HR data, and the ways in which we collect, use, disclose and protect Personal Data and the choices you have associated with that data.

## DEFINITIONS

For purposes of this Policy:

“Personal Data” means any information that (i) is transferred to Universal Data in the U.S. from the EEA and/or Switzerland, (ii) is recorded in any form, (iii) relates to an identified or identifiable living individual (including Personnel), and (iv) can be linked to that individual.

“Usage Data” means information collected automatically either generated by the use of the applications and services provided by Universal Data or from infrastructure itself (for example, the duration of a page visit).

“Cookies” mean small files stored on a device (i.e., a computer or mobile device) that are either persistent in nature, or temporary for the duration of the session.

“Data Controller” means the natural or legal person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal information are, or are to be, processed.

“Data Processor” (or Service Provider)” means any natural or legal person who processes the data on behalf of the Data Controller. We may use the services of various Service

Providers in order to process your data more effectively.

“Data Subject” (or User) means any living individual who is using our Service and is the subject of Personal Data.

## **NOTICE**

In connection with processing of Personal Data, Universal Data adheres to the Privacy Shield framework Principles (the “Principles”). For more information about the Principles, please visit the Department of Commerce’s Privacy Shield website at <https://www.privacyshield.gov>. Universal Data commits to be subject to the Principles for all Personal Data in reliance on Privacy Shield.

Universal Data receives Personal Data in connection with services that it provides for its clients regarding employee compensation and benefits. Universal Data obtains and processes Personal Data in delivering human resources and technology services for its clients.

In the normal course of delivering services, clients will provide Personal Data about employees such as name, pay, benefits, birth dates, employment dates, and contact information. Any Personal Data collected by Universal Data will be considered as if collected by our clients, and provided to us as a third-party processor or sub-processor. Universal Data processes Personal Data under the direction of its clients pursuant to a written agreement, and has no direct control or ownership of the Personal Data it processes. Universal Data may collect, use, access or share Personal Data for the purposes of providing the services, preventing or addressing service or technical problems, responding to support issues, responding to a client’s or customer’s instructions, or as may be required by law; all in accordance with the agreement between the client and Universal Data. Clients are responsible to maintain their own privacy policy and for complying with any regulations or laws that require providing notice, disclosure and/or obtaining consent prior to providing any data to or allowing the collection or use of such data by Universal Data for processing purposes.

We may also collect information on how the Service is accessed and used (“Usage Data”). This Usage Data may include information such as your computer's Internet Protocol address (e.g. IP address), browser type, browser version, the pages of our applications that you visit,

the time and date of your visit, the time spent on those pages, unique device identifiers and other diagnostic data.

We use cookies and similar tracking technologies (“Tracking Data”) to track the activity on our Service and we hold certain information. Cookies are files with a small amount of data which may include an anonymous unique identifier. Cookies are sent to your browser from a website and stored on your device. Other tracking technologies are also used such as beacons, tags and scripts to collect and track information and to improve and analyze our Service. You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some portions of our Service. Examples of cookies we may use include Session Cookies to operate our applications, Preference Cookies to remember your preferences and various settings, and Security Cookies for information security purposes. With regard to “Do Not Track” (“DNT”) Signals under the California Online Protection Act (CalOPPA), the policy of Universal Data does not support DNT signals. DNT signals are a preference set in a web browser to inform websites of a preference not to be tracked.

Please direct any inquiries or complaints regarding our compliance with the Principles to the point of contact listed in the “How to Contact Universal Data” section below. If Universal Data is unable to resolve your concern, Universal Data commits to cooperate with the panel established by the EU data protection authorities (DPAs) and/or the Swiss Federal Data Protection and Information Commissioner, as applicable. In addition, Universal Data commits to comply with the advice given by the panel and/or Commissioner with regard to human resources data transferred from the EU and/or Switzerland in the context of the employment relationship, as applicable.

Universal Data may disclose Personal Data to comply with or respond to lawful requests made by public authorities, including: to meet national security or law enforcement requirements; to comply with governmental, professional and legal obligations or inquiries; carry out investigations and perform internal administrative activities.

Universal Data is subject to the investigatory and enforcement powers of the Federal Trade Commission. If Universal Data shares Personal Data with a third-party service provider that processes the data solely on behalf of Universal Data, then Universal Data will be liable for

that third party's processing of Personal Data in violation of the Principles, unless Universal Data can prove that it is not responsible for the event giving rise to the damage.

## **CHOICE**

Individuals who are served in a direct relationship with Universal Data have the opportunity to make choices regarding certain Universal Data Personal Data practices as provided in Universal Data Privacy Shield Policy and in notices and other materials Universal Data may provide in connection with the services provided by Universal Data. Individuals may contact Universal Data as indicated in the "How to Contact Universal Data" section below regarding the firm's use or disclosure of their Personal Data. Universal Data will provide individuals with reasonable methods to exercise their choices.

In most circumstances, Universal Data maintains Personal Data about individuals with whom Universal Data does not have a direct relationship because Universal Data obtained the Personal Data as a data processor for its clients or third parties using its services, those clients and third parties are responsible for providing the relevant individuals with certain choices with respect to the clients' or third parties' use or disclosure of the individual's Personal Data.

Universal Data uses the collected data for various purposes, including to provide and maintain our applications and services, to allow users to participate in interactive features of our applications services, to monitor the usage of our services, to detect, prevent and address technical issues, to provide customer support, to provide notification of changes, to gather analysis or valuable information so that we can improve our services, and to provide notifications and general information about other related services which we offer.

Universal Data may disclose Personal Data without offering an opportunity to opt out (i) to service providers the firm has retained to perform services on its behalf, (ii) if it is required to do so by law or legal process, (iii) to law enforcement or other government authorities, (iv) when Universal Data believes disclosure is necessary to prevent physical harm or financial loss, or (v) in connection with an investigation of suspected or actual illegal activity. Universal Data also reserves the right to transfer Personal Data in the event it sells or transfers all or a portion of its business or assets (including in the event of a reorganization, dissolution or liquidation). Should such a sale or transfer occur, Universal Data will use reasonable efforts to direct the transferee to use the Personal Data in a manner that is consistent with the Privacy Shield Policies of Universal Data.

Universal Data uses Personal Data only for the purposes indicated in this Policy unless it has a legal basis, such as consent, to use it for other purposes. With regard to the European

Economic Area (EEA), Universal Data has a legal basis under the General Data Protection Regulation (GDPR) for collecting, processing, using and disclosing Personal Data as described in this Privacy Policy and the specific context in which we collect it. Universal Data may process Personal Data to fulfill a contract, to act in accord with permission to do so, to act in accord with our legitimate interests which are not overridden by the rights of others, or to comply with the law.

#### **ACCOUNTABILITY FOR ONWARD TRANSFER OF PERSONAL DATA**

Universal Data may share Personal Data with non-affiliated parties as indicated in the “Choice” section above. Universal Data also may share Personal Data as specified in notices and other materials in connection with services delivered by Universal Data.

Except as permitted or required by applicable law, Universal Data requires non-affiliated parties to whom it discloses Personal Data and who are not subject to the General Data Protection Regulation (GDPR) of the European Union, and applicable Swiss directives and regulations, or an adequacy finding to either (i) subscribe to the relevant Principles or (ii) contractually agree to provide at least the same level of protection for Personal Data as is required by the relevant Principles.

Personal Data and other information may be transferred to and maintained on computers located outside of its original state, province, country or other governmental jurisdiction, such as the United States, where the data protection laws may differ from those of original jurisdiction. Universal Data will take all the steps reasonably necessary to ensure that Personal Data is treated securely and in accordance with this Privacy Policy and no transfer of Personal Data will take place to an organization or a country unless there are adequate controls in place including the security of Personal Data.

Under certain circumstances, Universal Data may be required to disclose Personal Data if required to do so by law or in response to valid requests by public authorities (e.g. a court or a government agency). Further, Universal Data may disclose Personal Data in the good faith belief that such action is necessary to comply with a legal obligation, to protect and defend the rights or property of Universal Data, to prevent or investigate possible

wrongdoing in connection with the services, to protect the personal safety of users of the services or the general public, or to protect against legal liability.

## **SECURITY AND RETENTION**

Universal Data takes reasonable and appropriate measures to protect Personal Data from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into due account the risks involved in the processing and the nature of personal data.

Universal Data will retain Personal Data only for as long as is necessary for the purposes set out in this Privacy Policy. We will retain and use Personal Data to the extent necessary to comply with our legal obligations (for example, if we are required to retain data to comply with applicable laws), resolve disputes and enforce our legal agreements and policies. Universal Data will also retain Usage Data for internal analysis purposes. Usage Data is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of our services, or we are legally obligated to retain this data for longer periods.

Although we make good faith efforts to store the information collected by Universal Data in a secure operating environment that is not available to the public, Universal Data cannot guarantee complete security or the security of any information transmitted via the Internet or telecommunications networks.

## **DATA INTEGRITY AND PURPOSE LIMITATION**

Universal Data takes reasonable steps to ensure that the Personal Data the firm processes are (i) relevant for the purposes for which they are to be used, (ii) reliable for their intended use, and (iii) accurate, complete and current.

In this regard, Universal Data may rely on its clients and third parties using the services (with respect to Personal Data of individuals with whom Universal Data does not have a direct relationship) to review, update and correct Personal Data to the extent necessary for the purposes for which the information was collected or subsequently authorized by the other individuals. Clients or third parties, as appropriate, may contact Universal Data as indicated in the “How to Contact Universal Data” section below to request that Universal Data update or correct relevant Personal Data.

Universal Data may provide applications or services which contain links to other sites that are not operated by Universal Data or its affiliates. Universal Data does not control or

assume responsibility for the content, privacy policies or practices of any third-party sites or services.

## **ACCESS, RESTRICTION AND MODIFICATION**

Where appropriate, Universal Data provides individuals who have a direct relationship with Universal Data with reasonable access to the Personal Data Universal Data maintains about them. Universal Data also provides a reasonable opportunity for those individuals to correct, amend or delete that information where it is inaccurate, as appropriate. Universal Data may limit or deny access to Personal Data where providing such access is unreasonably burdensome or expensive under the circumstances, or as otherwise permitted by the Principles. The right to access Personal Data also may be limited in some circumstances by local law requirements. Individuals may request access, correction, restriction, or deletion of their Personal Data by contacting Universal Data as indicated in the “How to Contact Universal Data” section below.

In most circumstances, Universal Data maintains Personal Data about individuals with whom Universal Data does not have a direct relationship because Universal Data obtained the data as a data processor, those clients and third parties are responsible for providing the relevant individuals with access to their Personal Data and the right to correct, amend or delete the information where it is inaccurate. In these circumstances, the relevant individuals should direct their questions to the appropriate party from which Universal Data obtained the Personal Data. When an individual is unable to contact the appropriate party, or does not obtain a response, Universal Data will provide reasonable assistance in forwarding the individual’s request to the appropriate party.

## **RECOURSE, ENFORCEMENT AND LIABILITY**

Universal Data has established procedures for periodically verifying implementation of and compliance with the Principles. Universal Data conducts an annual self-assessment of its Personal Data practices to verify that the attestations and assertions the firm makes about its privacy practices are true and that the firm’s privacy practices have been implemented as represented.

Individuals who have a direct relationship with Universal Data may file a complaint concerning processing of their Personal Data with Universal Data, whose contact information is below. If Universal Data is unable to resolve the concern, Universal Data commits to cooperate with the panel established by the EU data protection authorities (DPAs) and/or the Swiss Federal Data Protection and Information Commissioner, as applicable. In addition, Universal Data commits to comply with the advice given by the



panel with regard to human resources data transferred from the EU and/or Switzerland, as applicable, in the context of the employment relationship. Under certain conditions specified by the Principles, you may also be able to invoke binding arbitration to resolve your complaint. Universal Data is subject to the investigatory and enforcement powers of the Federal Trade Commission.

In circumstances in which Universal Data maintains Personal Data about individuals with whom Universal Data does not have a direct relationship because Universal Data obtained the data as a data processor for its clients or third parties using the claims management services, individuals may submit complaints concerning the processing of their Personal Data to the relevant client or third party, in accordance with the client's or third party's dispute resolution process. Universal Data will participate in this process at the request of the client, third party or individual.

## **HOW TO CONTACT UNIVERSAL DATA CORPORATION**

To contact Universal Data with questions or concerns about this Policy or practices concerning Personal Data:

Write to:

Universal Data Corporation  
Attention: Notifications  
601 Carlson Parkway Ste 1050  
Minnetonka, MN 55305  
USA

Email: [privacy@udcsite.com](mailto:privacy@udcsite.com)

## **CHANGES TO THIS PRIVACY POLICY**

We reserve the right to modify this Privacy Policy. If we do change our privacy practices, we will update this policy. If we make any material changes to this Privacy Policy, we provide notice on our website designating when the changes are effective.

Effective Date: January 1, 2018