

# PRIVACY SHIELD POLICY

BI WORLDWIDE has adopted this Privacy Shield Policy ("Policy") to declare its commitment to comply with Privacy Shield Principles by establishing and maintaining an adequate level of Personal Data privacy protection. This Policy applies to the processing of Personal Data that BI WORLDWIDE obtains from customers and Individuals in the European Union, the United Kingdom, and Switzerland.

BI WORLDWIDE complies with the **EU-US Privacy Shield Framework** and the **Swiss-US Privacy Shield Framework(s)** ("Privacy Shield") as set forth by the US Department of Commerce regarding the collection, use, and retention of personal information transferred from European Union and the United Kingdom and/or Switzerland, as applicable to the United States in reliance on Privacy Shield. BI WORLDWIDE has certified to the Department of Commerce that it adheres to the **Privacy Shield Principles** with respect to such information. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification page, please visit <https://www.privacyshield.gov/list>.

The Federal Trade Commission ("FTC") has jurisdiction over BI WORLDWIDE's compliance with the Privacy Shield. All BI WORLDWIDE Personnel who handle Personal Data from Europe, the United Kingdom, and Switzerland are required to comply with the Principles stated in this Policy.

## I. SCOPE

BI WORLDWIDE provides services to businesses.

This Policy applies to the processing of Individual Personal Data that BI WORLDWIDE receives in the United States relating to Individuals who reside in the European Union, the United Kingdom, and Switzerland.

This Policy does not cover data from which individual persons cannot be identified or situations in which pseudonyms are used. (The use of pseudonyms involves the replacement of names or other identifiers with substitutes so that identification of individual persons is not possible.)

## II. RESPONSIBILITIES AND MANAGEMENT

BI WORLDWIDE has designated its legal department, data privacy managers, and information security officers ("**Security and Privacy Team**") to oversee its information security program, including its compliance with the EU and Swiss Privacy Shield program. BI WORLDWIDE's Security and Privacy Team shall review and approve any material changes to this information security program as necessary. Any questions, concerns, or comments regarding this Policy also may be directed to [DPO.US@biworldwide.com](mailto:DPO.US@biworldwide.com).

BI WORLDWIDE will maintain, monitor, test, and upgrade information security policies, practices, and systems to assist in protecting the Personal Data that it collects. BI WORLDWIDE personnel will receive training, as applicable, to effectively implement this Policy.

## III. RENEWAL / VERIFICATION

BI WORLDWIDE will renew its US-EU Privacy Shield and Swiss-US Privacy Shield certifications annually unless it subsequently determines that it no longer needs such certification, or if it employs a different adequacy mechanism.

Prior to re-certification, BI WORLDWIDE will conduct an in-house verification to ensure that its attestations and assertions about its treatment of Individual Personal Data are accurate and that the company has appropriately implemented these practices. Specifically, as part of the verification process, BI WORLDWIDE will undertake the following:

- A. Review this Policy and its publicly posted website privacy policy to ensure that these policies accurately describe the practices regarding the collection and use of Personal Data.
- B. Ensure that the publicly posted privacy policy informs customers and Individuals of BI WORLDWIDE's participation in the US-EU Privacy Shield and US Swiss Privacy Shield programs and where to obtain a copy of additional information (e.g., a copy of this Policy).
- C. Ensure that this Policy continues to comply with the Privacy Shield principles.
- D. Confirm that customers and Individuals are made aware of the process for addressing complaints and any independent dispute resolution process (BI WORLDWIDE may do so through its publicly posted website, each separate customer contract, or both).
- E. Review its processes and procedures for training BI WORLDWIDE Personnel about BI WORLDWIDE's participation in the Privacy Shield programs and the appropriate handling of Individual Personal Data.

## IV. COLLECTION AND USE OF PERSONAL DATA

BI WORLDWIDE collects Personal Data directly from Individuals when they register with one of our websites, login to their account, participate in reward and recognition programs, participate in meetings, events, and travel programs, redeem award points for individual travel or merchandise, request information, or otherwise communicate with us. BI WORLDWIDE also receives Individual Personal Data indirectly from its business customers in its role as a service provider. In our capacity as a service provider, we will receive, store, and/or process Personal Data. In such cases, we are acting as a "data processor" and will process the Personal Data on behalf of, and under the direction of our customers acting as a "data controller". The Personal Data that we collect from individuals in this capacity is used to provide services to the individual as requested by the data controller.

The Personal Data that we collect may vary based on the Individual's interaction with one or more of our websites used to provide the services as agreed under contract with our business customers. In general, BI WORLDWIDE collects the following types of Personal Data either directly from Individuals, or indirectly from BI WORLDWIDE business customers: contact information, including, a contact person's name, work email address, work mailing address, delivery address for merchandise award delivery, work telephone number, title, and company name. Individuals have the option to log into their accounts online and request assistance via an online form or through a live support option such as chat or telephone, collectively "**Portals**". In such cases, we will collect information that they choose to provide to us through these Portals.

When Individuals use our services online, we will collect their IP address and browser type. The information that we collect from Individuals is used for providing services, managing transactions, reporting, other operations related to providing services and products to the Individual and/or to a BI WORLDWIDE customer in accordance with their contract.

BI WORLDWIDE uses Personal Data that it collects directly from Individuals, or indirectly from our customers in our role as a service provider for the following business purposes, without limitation:

1. delivering and providing the requested products/services, and complying with its contractual obligations related thereto (including managing transactions, reporting, and other operations related to providing services to our customers and Individuals);
2. satisfying governmental reporting, tax, and other requirements (e.g., import/export);
3. storing and processing data, including Personal Data, in computer databases and servers located in the United States;
4. verifying identity (e.g., for online access to accounts);
5. as requested by the Individual;
6. for other business-related purposes permitted or required under applicable local law and regulation, and
7. as otherwise required by law.

BI WORLDWIDE does not disclose Personal Data to third parties for purposes that are materially different than as specified as the original purpose. Should this change in the future, we will provide affected individuals with the option to opt-out.

## V. DISCLOSURES / ONWARD TRANSFERS OF PERSONAL DATA

BI WORLDWIDE discloses relevant Personal Data only to a Third Party who reasonably needs to know such Personal Data, and only under a contract with the Third Party that provides that such data may only be processed for limited and specified purposes consistent with the consent provided by the Individual and for no other purpose. Third Party recipients must agree to provide the same level of protection as the Privacy Shield principles and will notify BI WORLDWIDE if it determines that it can no longer meet this obligation. The Third Party contract must provide that when such a determination is made, the Third Party must cease processing or take other reasonable and appropriate steps to remediate.

BI WORLDWIDE may provide Personal Data to Third Parties that act as agents, consultants, and contractors to perform tasks on behalf of and under our instructions. For example, BI WORLDWIDE may store such Personal Data in facilities operated by Third Parties. Such Third Parties must agree to use such Personal Data only for the purposes for which the Third Party has been engaged by BI WORLDWIDE and they must either:

1. comply with the Privacy Shield principles or another mechanism permitted by the applicable EU & Swiss data protection law(s) for transfers and processing of Personal Data;
2. or agree to provide adequate protections for the Personal Data that are no less protective than those set out in this Policy;

BI WORLDWIDE also may disclose Personal Data for other purposes or to a Third Party when a Data Subject has consented to or requested such disclosure. Please be aware that BI WORLDWIDE may be required to disclose an individual's personal information in response to a lawful request by public authorities such as for national security or law enforcement requirements. BI WORLDWIDE is liable for appropriate onward transfers of personal data to third parties.

## VI. SENSITIVE DATA

In general, BI WORLDWIDE does not receive or collect Sensitive Data from Individuals. Within specific services provided by BI WORLDWIDE, and as contractually required and directed by a BI WORLDWIDE customer, some sensitive data may be processed. In such cases, Individuals will be provided with information to explain why that data is required and the Individuals' explicit consent will be obtained unless other legal grounds exist for the processing of Sensitive Data.

## VII. DATA INTEGRITY AND SECURITY

BI WORLDWIDE uses reasonable efforts to maintain the accuracy and integrity of Personal Data and to update it as appropriate. BI WORLDWIDE has implemented physical and technical safeguards to protect Personal Data from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. BI WORLDWIDE also employs access restrictions, limiting the scope of Personnel who have access to Personal Data. Further, BI WORLDWIDE uses secure encryption technology to protect certain categories of personal data. Despite these precautions, no data security safeguards guarantee 100% security all of the time.

## VIII. NOTIFICATION

BI WORLDWIDE notifies Individuals about its adherence to the EU-US Privacy Shield and Swiss-US Privacy Shield principles through this policy which is accessible from the Privacy Shield certification page <https://www.privacyshield.gov/list> and from each applicable website hosted by BI WORLDWIDE.

## IX. ACCESSING PERSONAL DATA

BI WORLDWIDE personnel may access and use Personal Data only if they are authorized to do so, only for the purpose for which they are authorized, and they are granted access only to Personal Data relevant to the purpose of processing.

## X. RIGHT TO ACCESS, CHANGE OR DELETE PERSONAL DATA

A. **Right to Access.** Individuals have the right to know what Personal Data about them is included in the databases and to ensure that such Personal Data is accurate and relevant for the purposes for which BI WORLDWIDE collected it. Individuals may review their own Personal Data stored in the databases and request to have it corrected, erased, or blocked, as permitted by applicable law and BI WORLDWIDE policies. Upon reasonable request and as required by the Privacy Shield principles, BI WORLDWIDE allows Individuals access to their Personal Data, in order to correct or amend such data where inaccurate. Individuals may edit their Personal Data by logging into their account profile or by contacting BI WORLDWIDE by email or other means provided by the website. In making modifications to their Personal Data, Data Subjects must provide only truthful, complete, and accurate information. To request erasure of Personal Data, Individuals should submit a written request via email to the Data Controller listed within the Privacy Notice of the website managed by BI WORLDWIDE containing the Individual's Personal Data. If the website does not include a Privacy Notice with contact information of the data controller, the Individual may submit their written request via email to: [DPO.US@biworldwide.com](mailto:DPO.US@biworldwide.com).

B. **Requests for Personal Data.** BI WORLDWIDE will track each of the following and will provide notice to the appropriate parties under law and contract when either of the following circumstances arise: (a) legally binding request for disclosure of the Personal Data by a law enforcement authority unless prohibited by law or regulation; or (b) requests received from the Data Subject.

- C. **Satisfying Requests for Access, Modifications, and Corrections.** BI WORLDWIDE will endeavor to respond in a timely manner to all reasonable written requests to view, modify, or inactivate Personal Data.

## XI. CHANGES TO THIS POLICY

This Policy may be amended from time to time, consistent with the Privacy Shield principles and applicable data protection and privacy laws and principles. We will make Personnel aware of changes to this policy either by posting to our intranet, through email, or other means. We will notify affected Individuals if we make changes that materially affect the way we handle Personal Data previously collected, and we will allow them to choose whether their Personal Data may be used in any materially different manner.

## XII. QUESTIONS OR COMPLAINTS

EU and Swiss Individuals may contact BI WORLDWIDE with questions or complaints concerning this Policy at the following email address: [DPO.US@biworldwide.com](mailto:DPO.US@biworldwide.com).

## XIII. ENFORCEMENT AND DISPUTE RESOLUTION

In compliance with the US-EU and Swiss-US Privacy Shield Principles, BI WORLDWIDE commits to investigate and resolve complaints about your privacy and our collection or use of your personal information at no cost to the Individual. EU, United Kingdom, and Swiss individuals with questions or concerns about the use of their Personal Data should contact us at: [DPO.US@biworldwide.com](mailto:DPO.US@biworldwide.com). Individuals may bring a complaint directly to BI WORLDWIDE, and BI WORLDWIDE will respond to the complaint within 45 days.

If an Individual's question or concern cannot be satisfied through this process BI WORLDWIDE has further committed to refer unresolved privacy complaints under US-EU Privacy Shield and Swiss-US Privacy Shield to the EU Data Protection Authorities ("DPAs"), or the Swiss Federal Data Protection and Information Commissioner as applicable.

If you do not receive timely acknowledgement of your complaint, or if your complaint is not satisfactorily addressed by BI WORLDWIDE, then EU, United Kingdom, and Swiss Individuals may bring a complaint before the EU DPAs or the Swiss Federal Data Protection and Information Commissioner.

Finally, as a last resort, BI WORLDWIDE will commit to binding arbitration through the Privacy Shield Panel at the request of an EU, United Kingdom, or Swiss Individual.

## XIV. DEFINED TERMS

Capitalized terms in this Privacy Policy have the following meanings:

"**Individual**" means an Individual from EU, the United Kingdom, or Switzerland. The term also shall include any employee of a BI WORLDWIDE customer where BI WORLDWIDE has obtained his or her Personal Data from such Individual as part of the customer's business relationship with BI WORLDWIDE.

"**Data Subject**" means an identified or identifiable natural living person. An identifiable person is one who can be identified, directly or indirectly, by reference to a name, or to one or more factors unique to his or her personal physical, psychological, mental, economic, cultural or social characteristics. For Individuals residing in Switzerland, a Data Subject also may include a legal entity.

"**Personnel**" means an employee (whether temporary, permanent, part-time, or contract), former employee, independent contractor, or job applicant of BI WORLDWIDE or any of its affiliates or subsidiaries, who is also a resident of a country within the European Economic Area.

"**Europe**" or "**European**" refers to a country in the European Union.

"**Personal Data**" means data that personally identifies or may be used to personally identify a person, including an individual's name in combination with country of birth, marital status, emergency contact, salary information, terms of employment, job qualifications (such as educational degrees earned), address, phone number, e-mail address, user ID, password, and identification numbers. Personal Data does not include data that is de-identified, anonymous, or publicly available. For Switzerland, the term "person" includes both a natural person and a legal entity, regardless of the form of the legal entity.

"**Sensitive Data**" means Personal Data that discloses a Data Subject's medical or health condition, race or ethnicity, political, religious or philosophical affiliations or opinions, sexual orientation, or trade union membership.

"**Third Party**" means any individual or entity that is neither BI WORLDWIDE nor a BI WORLDWIDE employee, agent, contractor, or representative.