

CALIFORNIA PRIVACY RIGHTS ACT ("CPRA") PRIVACY POLICY

Updated as of June 15, 2023

As of January 1, 2023, ShadowMachine, LLC and its subsidiaries (collectively "**Employer**") must inform employees, job applicants and independent contractors residing in California (collectively referred to as "**Consumer(s)**") of their privacy rights under the CPRA. The following sets forth Employer's CPRA privacy policy.

INFORMATION COLLECTED: Employer has collected the following categories of "Personal Information" and "Sensitive Personal Information," as each are individually defined in §17.98.140 of the CPRA (collectively referred to as "**Information**") from Consumers during the preceding twelve (12) months: real name, postal address, email address, physical characteristics, phone number, health insurance policy number, professional or employment-related information, Consumer's race and gender, medical information, education history, employment history, social security number, driver's license, state identification card, contents of email, and passport number. Information does not include "publicly available information or lawfully obtained, truthful information that is a matter of public concern." Employer obtains the Information from Consumers directly. Employer's use of the Information is limited to the following uses: administering and setting up payroll, administering benefits (i.e., retirements plans, health care benefits), Equal Employment Opportunity (EEO) reporting, keeping records of hiring practices, retaining employment records, and complying with applicable state and federal laws.

Employer will not "share" any Consumer Information as that term is defined in §1798.140 of the CPRA. The scope of the term "sharing" under the CPRA is limited to the specific purpose of cross-context behavioral advertising (i.e., targeted advertising). Further, Employer does not and will not "sell" any Consumer Information. However, Employer may be required to disclose sensitive Information about Consumers to third parties but shall only do so when such disclosure is necessary to perform the business purposes set forth in Sections 1798.140(e)(2) and (5) of the CPRA. If Employer uses or discloses a Consumer's sensitive Information for purposes other than those set forth in the aforementioned Sections, Employer shall provide notice to the Consumer that the Information may be used, or disclosed for an additional specified purpose and that the Consumer does have the right to limit the use or disclosure by Employer of that sensitive Information. Employer may disclose the Information to a third party for the following business purpose(s): administering benefits, performing payroll services, tax verification, and reporting required by federal or state law. Employer discloses Information to the following types of third parties: payroll companies, insurance companies, benefits brokers, auditors, and investment management companies.

Employer may hold Consumer's Information for up to seven (7) years following Consumer's termination of employment or seven (7) years from collection of the Information if Consumer is not hired.

CONSUMER'S RIGHTS UNDER THE CPRA: The CPRA grants Consumers the following rights under the law:

Right to delete: Consumers have a right to request that Employer delete any Information about the Consumer that Employer collected. When Employer receives a verifiable request for deletion, Employer must delete the information from its records, subject to certain exceptions. Employer need not delete the Information when "reasonably necessary" under the following relevant exceptions:

- To complete a transaction for which the Information was collected;
- To ensure security and integrity;
- To exercise free speech, ensure the right of another Consumer to exercise their free speech, or exercise another right provided for by law;
- To comply with the California Electronic Communications Privacy Act ("**CECPA**");
- To enable solely internal uses that are reasonably aligned with the expectations of the Consumer based on the Consumer's relationship with Employer and compatible with the context in which the Consumer provided the information; and
- To comply with a legal obligation.

Right to correct inaccurate Information: Consumer may request that Employer correct inaccurate person information about Consumer. Employer must use “commercially reasonable efforts” to correct the inaccurate Information.

Right to know and access Information: Consumer may request that Employer disclose the (i) categories of Information it has collected about the Consumer; (ii) categories of sources from which the Information is collected; (iii) business or commercial purpose for collecting, selling or sharing Consumer Information; (iv) categories of third parties to whom Employer discloses Information; (v) specific pieces of Information it has collected about the Consumer.

Disclosure of the Information covers the twelve (12) month period preceding the receipt of the Consumer request. Employer is not obligated to provide Information under this right to the same Consumer more than twice in a twelve (12) month period.

Right to know what Information is sold or shared and with whom: Consumers have the right to request that an Employer that sells or shares Consumer Information, or that discloses it for a business purpose, inform the Consumer of the information shared or sold upon Consumer’s request. Employer does not sell or share (as it is defined in the CPRA) any Consumer Information. However, Employer does disclose Information to third parties for business purposes.

Right to opt out of sale or sharing of Information: Because Employer does not sell or share Consumer Information, Consumer cannot exercise this right.

Right to limit use and disclosure of sensitive Information: Consumers have the right to restrict the use and disclosure of sensitive Information collected by Employer to certain specified business uses (such as preventing fraud, employee payment, customer service, etc.) as well as the uses necessary to perform the service or provide the goods reasonably expected by the average Consumer.

Right to Notification: Under the CPRA, Employer cannot collect new categories of Information or use information already collected for materially different purposes without first notifying the Consumer.

Right of no retaliation for exercising Consumer’s rights under the law: Employer shall not discriminate or retaliate against Consumer for exercising his or her rights under the CPRA.

EXERCISING A CONSUMER RIGHTS REQUEST: Consumer has the right to submit a consumer rights request to Employer for any of the following:

- Request to know and access Consumer’s Information.
- Request to know what Information has been sold, shared, or disclosed.
- Request to delete Consumer’s Information.
- Request to correct inaccurate Information.

To make a consumer rights request, Consumer can call our designated toll-free telephone number for CPRA requests at [+1 \(877\) 228-7876](tel:+18772287876) or submit a request on the ShadowMachine website (<https://www.shadowmachine.com/index.php/cpra-request-information>). On the ShadowMachine website, Consumer(s) must give their first and last name, email address, and phone number. Then they must clearly describe what right they are wishing to exercise and regarding what Information. Consumers can view this CPRA Privacy Policy using the same link. Upon receipt of a verifiable Consumer rights request, Employer is under an obligation to fulfill said request. Employer will use commercially reasonable methods to determine whether the request is verifiable. An authorized agent may submit a CPRA request on Consumer’s behalf. Employer must comply with a verifiable Consumer rights request within forty-five (45) days. Employer has the right to extend this period for an additional forty-five (45) days when reasonably necessary, provided Employer gives notice of the extension to Consumer. For questions or concerns about exercising a Consumer Request, please reach out to cprahelp@shadowmachine.com, where either Kim Dankner (Director of People and Workplace) or Ethan Lenick (Business and Legal Affairs Associate) will assist you.