

# Privacy Shield Statement



Last updated: April 11, 2018 by Abacus Group, LLC

## Overview

As set forth in Abacus' Global Code of Conduct: "We respect the confidentiality and privacy of our clients, our people and others with whom we do business."

Abacus Information Technology, LLC d/b/a Abacus Group, LLC ("Abacus") complies with the requirements of the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce (the "Principles"). Abacus has certified that it adheres to the Principles with respect to personal information (as described below) that is transferred from the European Union and its Member States, and the European Economic Area and Switzerland ("EU") to the United States. If there is any conflict between the terms in this Privacy Shield Policy and the Principles, the Principles shall govern. Abacus U.S. is subject to investigatory and enforcement powers of the U.S. Federal Trade Commission.

To learn more about the Privacy Shield program, and to view our certification page, please visit <https://www.privacyshield.gov/>.

This Privacy Shield Policy applies to personal information within the scope of Abacus' Privacy Shield certification, which covers the following categories of information:

- Personal information regarding current, former and prospective partners, principals and employees for the purposes of operating and managing Abacus, performing human resource administration and maintaining contact with individuals.
- Personal information regarding current, former and prospective clients and their personnel or others for the purposes of delivering Abacus services, maintaining ongoing relationships and performing business development activities.
- Personal information regarding our third parties (e.g., vendors, service providers, etc.) and their personnel for the purposes of managing and administering Abacus' business relationships with such third parties.
- Additionally, Abacus may, from time to time, collect personal information from the general public in order to answer inquiries or provide information requested.
- Collected personal data may include: contact information, name, work email address, work mailing address, work telephone number, title, and company name.

For the purposes of this Privacy Shield Policy, "personal information" means information that is about, or pertains to a specific individual and can be linked either directly or indirectly to that individual. In addition, certain personal information covered by Abacus' Privacy Shield certification may be subject to more specific privacy policies of Abacus, which are also consistent with the requirements of the Principles, and in the case of any conflict between these policies and the Principles, the Principles will control.

For example:

- Certain Abacus websites maintain their own privacy policies that apply to personal information collected via those sites. These policies may be accessed through those websites.
- Personal information obtained from or relating to clients or former clients is further subject to the terms of any specific privacy notice provided to the client, any contractual arrangements with the client and applicable laws and professional standards.

## Individual Notice and Choice

We collect and process personal information from certain individuals and for the purposes described in this Privacy Shield Policy. Personal information covered by this Privacy Shield Policy is collected and processed only as permitted by the Principles.

Notice to individuals regarding the personal information collected from them and how that information is used may be provided through this Privacy Shield Policy, other Abacus website notices, or other direct forms of communication with appropriate parties, such as contracts or agreements. Where necessary and appropriate, consent for personal information to be collected, used, and/or transferred may also be obtained through these same means of communication (including opt-in consent for sensitive personal information).

## Disclosures & Accountability for Onward Transfers

Consistent with the Principles, Abacus may transfer personal information to third parties, including transfers from one country to another. We will only disclose an individual's non-public personal information to third parties under one or more of the following conditions:

- The disclosure is to a third party providing services to Abacus, or to the individual, in connection with the operation of our business, and is consistent with the purpose for which the personal information was collected. We maintain written contracts with these third parties and require that these third parties provide at least the same level of privacy protection and security as required by the Privacy Shield Principles, and require that the third party notify Abacus if it makes a determination that it can no longer meet its obligation to provide the same level of protection as is required by the Privacy Shield Principles. Abacus will take reasonable and appropriate steps to stop and remediate unauthorized processing. To the extent provided by the Principles, Abacus remains responsible and liable under the Privacy Shield Principles if a third-party that it engages to process personal information on its behalf does so in a manner inconsistent with the Privacy Shield Principles, unless Abacus proves that it is not responsible for the matter giving rise to the damage.
- With the individual's permission to make the disclosure;

- Where required to the extent necessary to meet a legal obligation to which Abacus is subject, including a lawful request by public authorities and national security or law enforcement obligations and applicable law, rule, order, or regulation.
- Where reasonably necessary for compliance or regulatory purposes, or for the establishment of legal claims.

## Access

Individuals whose personal information is covered by this Privacy Shield Policy have the right to access the personal information that Abacus maintains about them as specified in the Principles. Individuals may contact us to correct, amend or delete such personal information if it is inaccurate or has been processed in violation of the Principles (except when the burden or expense of providing access, correction, amendment, or deletion would be disproportionate to the risks to the individual's privacy, or where the rights of persons other than the individual would be violated). Requests for access, correction, amendment or deletion should be sent to: [privacy@abacusgroupllc.com](mailto:privacy@abacusgroupllc.com).

## Security

Abacus takes appropriate measures to protect personal information in its possession to ensure a level of security appropriate to the risk of loss, misuse, unauthorized access, disclosure, alteration, and destruction. These measures take into account the nature of the personal information and the risks involved in its processing, as well as best practices in the industry for security and data protection.

## Data Integrity and Purpose Limitation

Abacus collects and processes personal information only to the extent that it is compatible with the purposes for which it was collected or subsequently authorized by the data subject. Abacus does not retain personal information after it no longer serves the purposes for which it was collected or subsequently authorized. Abacus takes reasonable steps to ensure that personal information is accurate, complete, current, and reliable for its intended use.

## Non-HR Data Recourse, Enforcement, and Liability

In compliance with the Principles, Abacus commits to resolve complaints about our collection or use of your personal information. Individuals with inquiries or complaints regarding our Privacy Shield Policy should first contact Abacus at: [privacy@abacusgroupllc.com](mailto:privacy@abacusgroupllc.com). Abacus has a policy of responding to individuals within forty-five (45) days of an inquiry or complaint. If an individual has an unresolved complaint or concern that is not addressed satisfactorily or timely, that individual may contact our U.S. based third party dispute resolution provider (free of charge), the International Centre

for Dispute Resolution/American Arbitration Association ("ICDR/AAA"). Please contact or visit [ICDR/AAA](https://www.icdr.org/) for more information or to file a complaint (<http://go.adr.org/privacysshield.html>). If the dispute involved human resources personal information, or information collected in the context of an employment relationship, we will cooperate with the competent EU or Swiss data protection authorities and comply with the advice of such authorities.

You may have the option to select binding arbitration under the Privacy Shield Panel for the resolution of your complaint under certain circumstances. For further information, please see the Privacy Shield website (<https://www.privacyshield.gov>).

## Renewal and Verification

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

- Review this Privacy Shield policy and its publicly posted website privacy policy to ensure that these policies accurately describe the practices regarding the collection of Individual Customer Personal Data
- Ensure that the publicly posted privacy policy informs Individual Customers of Abacus participation in the EU-U.S. Privacy Shield and Swiss-US Privacy Shield programs and where to obtain a copy of additional information (e.g., a copy of this Policy)
- Ensure that this Policy continues to comply with the Privacy Shield principles
- Confirm that Individual Customers are made aware of the process for addressing complaints and any independent dispute resolution process (Abacus may do so through its publicly posted website, Individual Customer contract, or both)
- Review its processes and procedures for training Employees about Abacus participation in the Privacy Shield programs and the appropriate handling of Individual's Personal Data

Abacus will prepare an internal verification statement on an annual basis.

## Modifications

Abacus may update this Policy at any time by publishing an updated version here. We will not update this Privacy Shield Policy in contravention to the Principles so long as we remain certified to the Privacy Shield.