

PRIVACY POLICY
Effective Date: April 15, 2024

The following policy is designated to comply with the EU-U.S. Data Privacy Framework (EU-U.S. DPF) and the Swiss-U.S. Data Privacy Framework (Swiss-U.S. DPF). It specifically applies to records we receive from Europe and Switzerland. However, U.S. Background Screening (“USBS”) & its subsidiary, Edufacts, Inc. (“Edufacts”) takes the security of all consumer personal identifying information (“PII”) and related information as a top priority regardless of the country of origin of the PII. The following points relate specifically to the EU-U.S. Data Privacy Framework (EU-U.S. DPF) and the Swiss-U.S. Data Privacy Framework (Swiss-U.S. DPF).

**EU-U. S Data Privacy Framework (EU-U. S DPF) And
Swiss-U. S Data Privacy
Framework (Swiss-U. S DPF)**

USBS complies with the EU-U.S. Data Privacy Framework (EU-U.S. DPF) and the Swiss-U.S. Data Privacy Framework (Swiss-U.S. DPF) as set forth by the U.S. Department of Commerce. USBS has certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles (DPF Principles) with regard to the processing of personal data received from the European Union in reliance on the EU-U.S. DPF. USBS has certified to the U.S. Department of Commerce that it adheres to the Swiss-U.S. Data Privacy Framework Principles (Swiss-U.S. DPF Principles) with regard to the processing of personal data received from Switzerland in reliance on the Swiss-U.S. DPF. If there is any conflict between the terms in this privacy policy and the DPF Principles and/or the Swiss-U.S. DPF Principles, the Principles shall govern. To learn more about the Data Privacy Framework (DPF) Program, and to view our certification, please visit <https://www.dataprivacyframework.gov/>.

In compliance with the Data Privacy Framework Principles, USBS commits to resolve complaints about our collection or use of your personal information. EU and Swiss individuals with inquiries or complaints regarding our Data Privacy Framework policy should first contact *USBS* at:

(name) Andrew Klein
(title) President
(telephone) (866) 777-1322 Ext. 100
(email) andrewk@usbscorp.net

USBS has further committed to refer unresolved privacy complaints under the Data Privacy Framework Principles to a U.S.-based independent dispute resolution mechanism, BBB NATIONAL PROGRAMS. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit www.bbbprograms.org/dpf-complaints for more information and to file a complaint. This service is provided free of charge to you.

If your complaint involves human resources data transferred to the United States from the European Union, the United Kingdom, or Switzerland in the context of the employment relationship, and USBS does not address it satisfactorily, USBS commits to cooperate in investigations by and to comply with the advice of the relevant authorities (the EU data protection authorities (DPA Panel) and the Swiss Federal Data Protection and Information Commissioner, as applicable) with regard to such data. To pursue an unresolved human resources complaint, you should contact the state or national data protection or labor authority in the appropriate jurisdiction listed above. Complaints related to human resources data should not be addressed to the BBB NATIONAL PROGRAMS.

If your DPF complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See <https://www.dataprivacyframework.gov/framework-article/ANNEX-I-introduction> for more information on this process.

Types Of Data (Data Integrity)

USBS seeks background information for employment purposes for employment within the United States. In the course of processing the requested reports, we receive the following information: full consumer names, prior names used by the consumer, date of birth, address, government ID numbers and on occasion fingerprints. On rare occasions, when we need additional information to match or eliminate a record, we may request a photo ID, physical description, eye color, and/or race. All of this information is sought and maintained solely to establish legal compliance that USBS has reasonable procedures to ensure maximum accuracy of our reports and that the reports relate to the subject of the report.

Purpose For Which Data Is Collected

USBS conducts employment background screening for employers within the United States. The purpose of this screening is to aid employers in hiring or promoting qualified applicants. The screening also assists employer in identifying any risk an applicant may pose to the employer, coworkers, customers or third parties in performing their job which can be identified, in part, by past criminal conduct. Under the Data Privacy Framework Principles this is considered Human Resources Data. To the extent to which we can report this information it is restricted by the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. §1681, as well as state laws

Contact Information

If you are a person covered by the Data Privacy Framework Principles, you may contact us at any time between 8:00 a.m. and 5:00 p.m. Monday through Friday. We are in the Pacific Time zone. You may contact us to obtain general information regarding our compliance with Data Privacy Framework Principles or issues specific to any information we have obtained about you including to whom any information about you has been furnished. Please contact:
(name) Andrew Klein

(title) President
(telephone) (866) 777-1322 Ext. 100
(email) andrewk@usbcorp.net

Recipients Of Data Privacy Framework Data

USBS only distributes information to employers within the United States of America that have a “permissible purpose” of “employment” under the FCRA. Employment purpose is to find under the FCRA as information: “used for the purpose of evaluating a consumer for employment, promotion, reassignment or retention as an employee.” Depending upon the specific circumstances, this purpose also applies to independent contractors, and “volunteers”. Further, no information regarding you may be requested unless you have provided your written consent for the employer to obtain this type of information under the Data Privacy Framework Principles process and under the FCRA requirements. This is Human Resource Data and cannot be used for any other purpose.

Your Right To Access Your Data

You have the right to obtain our confirmation of whether we maintain personal information relating to you. Upon request, we will provide you with access to the personal information that we hold about you. You may also correct, amend, or delete the personal information we hold about you. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data, should direct their query to andrewk@usbcorp.net. If requested to remove data, we will respond within a reasonable timeframe.

Your right to access your Personal Data may be restricted in exceptional circumstances, including, but not limited to, when the burden or expense of providing this access would be disproportionate to the risks to your privacy in the case in question, or when the rights of persons other than you would be violated by the provision of such access. If we determine that your access should be restricted in a particular instance, we will provide you with an explanation of our determination and respond to any inquiries you may have.

Your Choices In Regard To The Release of Data

Under the Data Privacy Framework, you can opt out, that is, prohibit the disclosure, of information being forwarded to us to our employer customers. The failure to allow such disclosure will likely result in the denial of employment, promotion, etc., but such is your right for Data Privacy Framework Principles data.

The Data Privacy Framework Principles prohibits the disclosure of the following data without your specific permission: medical information, race/ethnic origin, political opinions, religious/political beliefs, trade union membership and sex life. We do not request such information except information on a consumers race/ethnic origin, but only when we need to use it as an identifier to match information to the subject of the report.

To limit the use and disclosure of your personal information, please submit a written request to andrewk@usbscorp.net.

Disputes And Other Questions

Any EU or Swiss individual with a privacy complaint should pursue the following steps to have their concern addressed.

Step 1 For EU and Swiss Consumer and Human Resources Complaints: USBS has an internal dispute process that can receive and investigate any factual dispute of information, failure to obtain your consent, Data Privacy Framework privacy issues or information obtained in violation of Data Privacy Framework rules. You may contact our dispute department at: telephone: (866) 777-1322; email: andrewk@usbscorp.net and describe your dispute/issue. We may request documentation to supplement your request and we will require proper identification before we release any information to you as a protection against a third party obtaining your information. Within five (5) days of the completion of the investigation, we will advise you of the results of our investigation. If information has been changed or deleted, you are entitled to ask that the new revised report be sent to the prior recipients. This service is free.

Step 2 For Consumer and Non-Human Resources Complaints: If the internal investigation process does not resolve the dispute/issue to your satisfaction, USBS has further committed to refer unresolved privacy complaints under the Data Privacy Framework Principles to a U.S.-based independent dispute resolution mechanism, BBB NATIONAL PROGRAMS. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit www.bbbprograms.org/dpf-complaints for more information and to file a complaint. This service is provided free of charge to you. Finally, as a last resort and under limited circumstances, EU and Swiss individuals with residual consumer or non-human resources complaints may invoke a binding arbitration option before the Data Privacy Framework Principles Panel.

Step 3 For Human Resources Complaints Within the HR Relationship: If the internal investigation process does not resolve the dispute/issue to your satisfaction, USBS commits to cooperation with the EU data protection authorities (DPA's) and/or the Swiss Federal Data Protection and Information Commissioner (FDPIC), as applicable, with regard to human resources data transferred from the EU or Switzerland in the context of the employment relationship. These services are provided at no cost to you

Security

USBS has adopted process and procedures to protect your information and your privacy. Information transmitted to us from Europe is done on an encrypted or other secure basis. When information is in our possession or that of our third party processing platform provider, it is protected by commercial firewalls, malware, etc., to protect the information from an unauthorized internal and external access and from attack. When your information is transmitted to our employer customer, end-user, it is sent via encryption email or other secure means. At all times, your information is protected by reasonable commercial processes, programs and procedures. We maintain your data only for so long, as it is needed to establish compliance with the Data Privacy Framework Principles and United States consumer protection laws.

Regulatory Authority

USBS is subject to the investigatory and enforcement powers of the Federal Trade Commission (FTC).

Disclosures Of Information To Governmental Authorities

USBS may be required to disclose an individual's personal information in response to a lawful request by public authorities, including to meet national security or law enforcement requirements.

Onward Transfer (Liability)

USBS seeks information only for its United States employer customers to be used for human resource/employment purposes. Our customers must agree in writing to comply with the Data Privacy Framework Principles. They agree to protect your data and use it only in accordance with your consent instructions. It is the responsibility of USBS to obtain certifications and assurances of compliance with the Data Privacy Framework Principles. USBS remains liable if a third party, acting as our agent, processes information in a manner inconsistent with the Principles. Our customer's compliance is subject to our review. If there is a pattern of non-compliance they will become ineligible to receive Data Privacy Framework information.

USBS may transfer personal information to our partners and employ individuals or third parties such as subcontractors, to act on our behalf in order to complete the background check. All subcontracted individuals are contractually obligated to keep the confidentiality and privacy of information collected in accordance with this Privacy Policy. All subcontractors are prohibited from sharing any information collected with other third parties. USBS remains liable in accordance with applicable laws if we are found to have willfully violated an individual's rights in case of onward transfers to third parties.

We will provide an individual opt-out choice, or opt-in for sensitive data, before we share your data with third parties other than our agents, or before we use it for a purpose other than which it was originally collected or subsequently authorized. To request to limit the use and disclosure of your personal information, please submit a written request to andrewk@usbcorp.net.

Location Of Data Privacy Framework Policy

Our Data Privacy Framework Principles Privacy Policy can be found on our Home Page: www.usbcorp.net and www.edufacts.com . Locate the link: "EU Privacy Policy" and click on the link to find the policy.