

# ComplyWorks CMS Privacy Policy

Last updated: November 2021

## Introduction

This notice applies to our application, hosted at <https://new.complyworks.com/home> ("Application") as related to personal information or personal data of an identified or identifiable individual from any Canadian or international jurisdiction, including EU jurisdictions.

Additional specific information is available below, for Canada and EU jurisdictions.

We may need to update this notice from time to time. Where a change is significant, we'll make sure we let you know by sending you an email or by posting a visible notice on our Application.

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## Who we are

When we refer to 'we' (or 'our' or 'us'), we mean ComplyWorks Ltd.

Our headquarters are in Calgary, Canada and we also have local offices in Toronto and internationally in Pretoria, South Africa ("Affiliates"). Our addresses are available on our [Contact](#) page.

During 2020, we were acquired by Veriforce LLC ("Parent") <https://veriforce.com/> which is a US based entity operating and offering similar services and products to ours.

References to our "Affiliate(s)" include companies that are under the same common ownership as Complyworks and the parent company.

## What we do

We provide an easy-to-use global online compliance platform ("Application") and associated services for businesses of all sizes. If you want to find out more about what we do, see the [What we do](#) page.

Our Application and associated services may be contracted by:

- Legal entities, corporations, professional associations and sole proprietors who are in the business of providing various services to other entities as their contractors ("Customers") or
- Legal entities, corporations, professional associations and sole proprietors for the purpose of hiring and managing their own contractor workforce. These entities are also our customers but for ease of reference we call them "Employers".

Customers and Employers are given access to a dedicated account. Further access rights and permissions to their accounts are granted to their employees and other third parties ("End Users"), as solely decided by them.

The Application functionality allows Customers to promote their business profile to Employers within the Application as solely decided by the Customers.

This Privacy Policy applies to personal information or personal data collected by us for the purpose of providing the Application and contracted services. We collect and process all personal data under Customers' and Employers' strict guidance and instructions.

## What information we collect and how

We collect information by fair and lawful means and limit the collection to the personal information that is necessary for us to provide our contracted services.

We collect information from the Customer administrators or from End Users directly:

- When you sign up to receive our news, updates and marketing communications, we collect your name and email address and the name of the company you work for or represent. You may unsubscribe at any time from these communications by clicking the "Unsubscribe" link in the email.
- When you contact us via the Live Support feature in the Application, we collect your name, email address, phone number and any personal information you may include in the chat with the support staff.
- When you call us directly with questions, inquiries, and support issues, we collect your name, contact details (phone, email address, company you work for or represent) and any personal information you may include in the call. We may record the call for training purposes.
- When you email us, we collect your name and email address as well as the information you include in the email.
- When information is manually entered or uploaded to the Application site <https://new.complyworks.com/home>. The personal information always collected is:
  - first and last names, job position, contact details (business email, telephone number) and physical address
  - records of assigned and completed training courses and orientations

Other information is also collected which may relate to the legal entity and not considered personal information or may relate to an individual or identify an individual and considered personal information:

- professional licenses, certifications, insurance issued to individuals
- job hazard assessments, audits, and inspections reports
- compliance evaluation results and scores
- incident information related to an individual
- worker compensation certificates (no medical details are recorded)
- notes entered by Customer or other authorized End Users

Customers and End Users are responsible to ensure the submission of any personal information to the Application and to ComplyWorks, is compliant with all applicable privacy laws, regardless

of jurisdiction. Customers are also responsible to ensure compliance with applicable privacy laws when deciding to share their account profiles with Employers.

## **We collect Information automatically**

We collect and track information automatically ("System data") when you visit our Application:

- http requests (requests sent by the client to trigger an action on the server)
- user actions such as logins, changes, and deletion of data

This information helps us:

- understand how you're using our Application and services so that we can continue to provide the best experience possible
- keep track of account changes
- maintenance of the Application (fixing errors, clearing disputes etc)

Some of this information may also be collected using cookies; see Cookies section below.

## **We collect information from other parties**

We collect personal information from Employers who require us to extend invitations to join the Application, to their contractors who may become our Customers, if they accept the invitation.

The personal information received from Employers, includes:

- contractor business name
- name of contractor's representative
- representative's contact details - address, phone number, email
- representative's job role

## **How we use your personal information**

We use the personal information for the following reasons:

- To provide to you the contracted services purchased by the Customers
- To communicate with you, as needed, to ensure you receive the purchased services or to provide you with information you have requested from us
- To communicate to you operational changes, security updates, user account maintenance and support information
- To process and collect payments

- To deliver marketing communications in accordance with your marketing preferences. Please note you may unsubscribe at any time, by clicking the unsubscribe link in the email.
- To support you and provide assistance with the resolution of technical support issues or other issues relating to the Application or services, whether by email, by phone or otherwise
- To enhance our Application and services and develop new ones. For example, by tracking and monitoring your use of Application and services so we can keep improving or by carrying out technical analysis of our Application and services so that we can optimise your user experience and provide you with more efficient tools
- To protect ourselves and you through detection and prevention of any fraudulent or malicious activity and to make sure that everyone is using our Application and services fairly and in accordance with our terms and conditions available on our platform at [https://new.complyworks.com/public/ComplyWorks\\_User\\_Agreement.pdf](https://new.complyworks.com/public/ComplyWorks_User_Agreement.pdf)
- To carry out various analysis and gather metrics related to our performance of our services and interactions with you in order to deliver enhanced services to you
- To carry out market research about our products and services and to understand our customer base

## How we share your information

We do not generally share your personal information but if we need to, we will only disclose your personal information to:

- Our Affiliates. These are companies that are under the same common ownership as Complyworks
- Our Parent. This is our parent company, Veriforce LLC
- Employers. When an account administrator authorizes the sharing of the account profile and information with Employers subscribing to our Application database
- Third party service providers and partners who assist and enable us to maintain the Application and carry out our services, for example:
  - to support delivery of or provide functionality on the Application or services,
  - to provide IT managed services and server hosting services
  - to provide telephony services, or
  - to market or promote our Application and services to you
- Regulators, law enforcement bodies, government agencies, courts or other third parties where it's necessary to comply with applicable laws or regulations or to exercise, establish or defend our legal rights. Where possible and appropriate, we will notify you of this type of disclosure
- An actual or potential buyer (and its agents and advisors) in connection with an actual or proposed purchase, merger or acquisition of any part of our business

## How we store your personal information and for how long

Your personal information is stored on the Application servers in Canada.

Some of our third-party service providers are based in the USA and other international jurisdictions.

The length of time we keep your personal information depends on whether we have an ongoing business need to retain it (for example, to provide you with a service you've requested, to comply with applicable legal, tax or accounting requirements or to comply with our contractual obligations with Customers).

We'll retain your personal information for as long as we have an ongoing relationship with you and for a period of time afterwards where there is an ongoing business need to retain it. Following that period, we'll make sure it's deleted or anonymized.

### Security and confidentiality

Complyworks has implemented commercially reasonable and appropriate technical, physical, and organizational measures to protect the personal information from misuse or accidental, unlawful, or unauthorized destruction, loss, alteration, disclosure, acquisition, or access during the processing to meet the requirements of applicable legislation.

## Your rights

It's your personal information and you have certain rights relating to it. When it comes to marketing communications, you can ask us not to send you these at any time by following the unsubscribe instructions contained in the marketing communications or make your request on the [Contact](#) page.

Based on the country you live in, you may also have the following rights:

**Your right of access** - You have the right to ask us for copies of your personal information. You may also access your personal information by logging into the Application.

**Your right to rectification** - You have the right to request us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

**Your right to erasure** - You have the right to ask us to erase your personal information under certain circumstances.

**Your right to restriction of processing** - You have the right to request us to restrict the processing of your personal information under certain circumstances.

**Your right to object to processing** - You have the right to object to the processing of your personal information under certain circumstances.

**Your right to data portability** - You have the right to request that we transfer the personal information you provided us, to another organisation, or to you, under certain circumstances.

**Your right to withdraw consent** – You have the right to withdraw consent regarding our collection and use of any of your personal information that was collected based on your previous consent at any time.

You are not required to pay any fees for exercising your rights. If you make a request, we have a fixed period of time, depending on the applicable privacy legislation, within which to respond to you. We will keep you updated of the progress of your request, as well as of the final result.

## **For individuals based in European Union, EEA, Switzerland and UK**

For listing of which countries are in the EU or EEA see [https://europa.eu/european-union/about-eu/countries\\_en#other-european-countries](https://europa.eu/european-union/about-eu/countries_en#other-european-countries) and [https://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:European Economic Area \(EEA\)](https://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:European_Economic_Area_(EEA)).

The information below should be read in addition to the information in the section “Our Privacy Practices.”

ComplyWorks acts as a processor of your personal data collected for the purpose of providing the functionality of the Application and associated services to Customers and Employers. We only process personal data as instructed or permitted by our Customers and Employers. The Customers and Employers are controllers of the personal data.

We have appointed an EU and UK representative, DataRep, which you may contact, should you have a complaint, comment or request:

- sending an email to DataRep at [datarequest@datarep.com](mailto:datarequest@datarep.com) quoting “Complyworks Ltd” in the subject line or
- completing the online webform at [www.datarep.com/data-request](http://www.datarep.com/data-request)

## **International Data Transfers**

We collect and process your personal data in Canada which is a country benefitting from the adequacy status granted by the European Union. This means that the European Commission has decided that the legal framework in Canada provides ‘adequate’ protection for individuals’ rights and freedoms regarding their personal data.

We may also transfer the personal data to other countries or international organizations, such as our Affiliates, Parent and some service providers based outside Canada to assist us in processing personal data, but we will only do so where we have approved transfer mechanisms in place to protect your personal data, such as the European Commission's Standard Contractual Clauses and Data Sharing agreements.

## How to contact us

If you would like to get in touch with us with any privacy related questions/comments or if you would like to exercise your rights, see [Contact](#) page or write to us at:

ComplyWorks Chief Privacy Officer  
Suite 200, 4838 Richard Road SW  
Calgary, Alberta Canada T3E6L1.

We will get back to you within regulatory timelines.

If you are located in the EU, you also have a right to contact your local data protection authority as related to any of our privacy practices. Here is a list of EU data protection authorities and their addresses [https://ec.europa.eu/info/law/law-topic/data-protection/reform/what-are-data-protection-authorities-dpas\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/reform/what-are-data-protection-authorities-dpas_en).

*Pls note this is an external website over which we have no control; pls check their Privacy Policy to understand what personal information they collect and how they use it.*

## For individuals based in Canada

The information below should be read in addition to the information in the section Our Privacy Practices.

We process your personal information as per requirements of the federal Canadian Personal Information Protection and Electronic Documents Act (PIPEDA) and Alberta PIPA.

### Your rights to your personal information are:

#### Right to access

- If you have access to the Application, you may access your personal information by logging into your user account. You may also request information and/or a copy of your personal information by contacting us.
- If you do not have access to the Application, you may contact us using the contact details from [Contact](#) page to obtain more information about what personal information we have and also to obtain a copy of their personal information.

#### Right to be informed



- You have a right to be informed of our privacy practices. This Privacy Policy is providing the required notice of what personal information we collect, how we use it and who we share it with.

#### Right to rectification

- You may contact us to request correction of the personal information stored in the Application, if you believe it is inaccurate or incomplete.

#### Right to deletion

- You may have the right to request deletion of your personal information. This right is subject to contractual obligations between us and our Customers and Employers as well as to other legal requirements. This means that we may not be able to delete your personal information. We will inform you of the result of your request.

To exercise any of your rights, please contact us via the [Contact](#) page.

You also have the right to complain to the federal or provincial Privacy Commissioners or request any decision that they reviewed.

Here are the details:

Privacy Commissioner of Canada, 112 Kent Street, Ottawa, Ontario, K1A 1H3 -or- to the Office of the Information

For contact information for all provincial privacy commissioners or ombudsman, see <https://www.priv.gc.ca/en/about-the-opc/what-we-do/provincial-and-territorial-collaboration/provincial-and-territorial-privacy-laws-and-oversight/>

## Cookies Section

Cookies are small text files that are placed on your computer by websites that you visit.

Our Application uses cookies to:

- manage user access,
- store user preferences,
- protect the website and manage network resources and traffic, and
- support the live chat functionality