



## Privacy Shield Policy

Freudenberg IT LP (“FIT LP”) has adopted and implemented this Privacy Shield Policy (“Policy”) to ensure that Personal Information obtained from Data Subjects receives adequate protection in accordance with the European Union Data Protection Directive 95/46/EC.

FIT LP complies with the US-EU Privacy Shield Framework (“Privacy Shield”) as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of Personal Information from individual Data Subjects. FIT LP has certified that it adheres to the Privacy Shield Framework Principles (“Principles”) of notice, choice, and accountability for onward transfer, security, data integrity, access, and enforcement. If there is any conflict between this Policy and the Principles, the Principles shall govern.

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

The Federal Trade Commission (FTC) has jurisdiction over FIT LP’s compliance with the Privacy Shield.

All FIT LP Employees who handle Personal Information about Data Subjects are required to comply with this Policy.

### I. Definitions

Capitalized terms in this Policy have the following meanings:

- *“Personal Information”* means any information relating to an identified or identifiable natural person.
- *“Data Subject”* means an identified or identifiable natural person who is a citizen or resident of the EEA.
- *“European Economic Area (EEA)”* means the twenty-eight member states of the European Union (“EU”) plus Liechtenstein, Iceland, and Norway.
- *“Third Party”* means any individual or entity that is neither FIT LP nor an employee, agent, contractor, or representative.
- *“Agent”* means any entity or individual (excluding Employees) that collects or uses Personal Information under the instructions of, and solely for, FIT LP.



- *“Employee”* means any employee, former employee, job applicant, or independent contractor of FIT LP or any of its affiliates who is a citizen or resident of the EEA.
- *“Human Resources Data”* means Personal Information which FIT LP or one of its affiliates collects in the context of the employment relationship about one of its Employees who is a citizen or resident of the EEA.
- *“Controller,”* as defined under the European Union Data Protection Directive 96/46/EC, means the natural or legal person, public authority, agency or any other body which alone or jointly with others determines the purposes and means of the processing of personal data.
- *“Processing,”* as defined under the European Union Data Protection Directive 96/46/EC, means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction.

## **II. Scope**

This Policy applies to all Personal Information obtained from Data Subjects.

## **III. Principles**

### **NOTICE:**

When a Data Subject is first asked to provide Personal Information to FIT LP or as soon thereafter as is practicable (but in any event before FIT LP uses such information for purposes other than that for which it was originally collected or processed by the transferring organization or discloses it for the first time to a Third Party), FIT LP shall, in clear and conspicuous language, provide notice of the following to the Data Subject:

- its participation in the Privacy Shield and a link to the Privacy Shield List;
- the types of data collected and, where applicable, the entities or subsidiaries of FIT LP adhering to the Principles;
- its commitment to subject to the Principles all Personal Information received from the Data Subject;
- the purposes for which it collects and uses Personal Information about the Data Subject;
- how to contact FIT LP with any inquiries or complaints;



- the type or identity of Third Parties to which FIT LP discloses Personal Information, and the purposes for which it does so;
- the right of Data Subjects to access their Personal Information;
- the independent dispute resolution body designated to address complaints and provide appropriate recourse;
- the fact that FIT LP is subject to the investigatory enforcement powers of the FTC;
- the possibility, under certain conditions, for the Data Subject to invoke arbitration;
- the requirement to disclose Personal Information in response to lawful requests from public authorities; and
- FIT LP's liability in cases of onward transfers to Third Parties.

#### **CHOICE:**

FIT LP shall provide Data Subjects with clear, conspicuous, and readily available mechanisms to exercise choice. Specially, FIT LP shall offer Data Subjects the opportunity to choose ("opt out") whether their Personal Information is (i) to be disclosed to a Third Party or (ii) to be used for a purpose that is materially different from the purpose(s) for which it was originally collected or subsequently authorized by the Data Subjects.

#### **ACCOUNTABILITY FOR ONWARD TRANSFER:**

If FIT LP transfers Personal Information to a Third Party acting as a Controller, then FIT LP shall ensure that the Third Party acts in compliance with the Notice and Choice Principles delineated in this Policy. Moreover, FIT LP shall enter into a contract with the Third Party that ensures that (i) such data may only be Processed for limited and specified purposes consistent with the consent provided by the Data Subject and (ii) the Third Party will provide the same level of protection specified in the Principles and will notify FIT LP if it determines that it can no longer meet this obligation. The contract shall also provide that, if such a determination is made by the Third Party, the Third Party shall cease Processing such data or take other reasonable and appropriate steps to remediate.

If FIT LP transfers Personal Information to an Agent, then FIT LP shall (i) transfer such data only for limited and specified purposes; (ii) ascertain that the Agent is obligated to provide at least the same level of privacy protection as required by the Principles; (iii) take reasonable and appropriate steps to ensure that the Agent effectively processes the Personal Information transferred in a manner consistent with FIT LP's obligations under the Principles; (iv) require the Agent to notify FIT LP if it makes a determination that it can no longer meet its obligations to provide the same level of protection as is required by the Principles; (v) upon notice, including under (iv), take reasonable and appropriate steps to stop and remediate unauthorized processing; and (vi) provide a summary or a representative copy of



the relevant privacy provisions of its contract with the Agent to the Department of Commerce upon request.

#### **SECURITY:**

FIT LP shall take reasonable and appropriate measures to protect Personal Information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction, taking into due account the risks involved in the Processing and the nature of the Personal Information.

#### **DATA INTEGRITY AND PURPOSE LIMITATION:**

FIT LP shall ensure that any Personal Information it collects will be limited to information that is necessary for Processing and shall not Process this information in a way that is incompatible with the purposes for which it has been collected or subsequently authorized by the Data Subject. To the extent necessary for those purposes, FIT LP shall take reasonable steps to ensure the Personal Information is reliable for its intended use, accurate, complete, and current.

#### **ACCESS:**

FIT LP shall ensure that Data Subjects have access to Personal Information about them and are able to correct, amend, or delete information that is inaccurate, or has been processed in violation of the Principles, except where the burden or expense of providing such access would be disproportionate to the risks of the Data Subject's privacy in the case in question, or where the rights of persons other than the individual would be violated.

#### **RECOURSE, ENFORCEMENT, AND LIABILITY:**

FIT LP is committed to protecting the privacy of Data Subjects and the security of Personal Information. To this end, it has adopted and implemented this Policy, which adheres to the Principles.

If, however, a Data Subject has a complaint or a question regarding the manner in which his or her Personal Information has been handled, he or she may contact FIT LP at

Contact Office	Freudenberg IT LP
Contact Name	Raj Cirigiri
Contact Title	Quality Assurance Manager
Contact E-mail	Raj.Cirigri@freudenberg-it.com
Contact Phone	919-595-1339
Contact Fax	919-991-5860

, and FIT LP will endeavor to take reasonable steps to answer such complaints or a questions in a timely manner.



In the event that a complaint cannot be resolved through this process, FIT LP has committed to refer unresolved privacy complaints under the Privacy Shield to the following independent recourse body:

***American Arbitration Association (AAA)/International Centre for Dispute Resolution (ICDR)***

<http://info.adr.org/safeharbor/>

In the event that FIT LP does not take reasonable steps to provide timely acknowledgment of a complaint, a Data Subject may directly file a complaint with AAA/ICDR by consulting its website:

[https://www.icdr.org/icdr/faces/icdrservices/safeharbor?\\_afLoop=470576573634233&\\_afWindowMode=0&\\_afWindowId=null#%40%3F\\_afWindowId%3Dnull%26\\_afLoop%3D470576573634233%26\\_afWindowMode%3D0%26\\_adf.ctrl-state%3Dzohwo6buy\\_4](https://www.icdr.org/icdr/faces/icdrservices/safeharbor?_afLoop=470576573634233&_afWindowMode=0&_afWindowId=null#%40%3F_afWindowId%3Dnull%26_afLoop%3D470576573634233%26_afWindowMode%3D0%26_adf.ctrl-state%3Dzohwo6buy_4)

With respect to complaints involving the handling of Human Resources Data, FIT LP is committed to cooperating with ***EU Data Protection Authorities*** and complying with their advice.

[http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm)

Finally, as a last resort, Customers may seek recourse through the Privacy Shield Panel, a binding arbitration mechanism.

#### **IV. Human Resources Data**

##### Coverage by the Privacy Shield

This Policy shall cover HR Data transferred from the EEA for use in the context of an employment relationship. From time to time, FIT LP may obtain Human Resources Data from Employees. In this event, the transfer of that data receives protection under the Privacy Shield.

##### Application of the Notice and Choice Principles

If FIT LP obtains Human Resources Data from Employees, it may disclose it to Third Parties or use it for different purposes only in accordance with the Notice and Choice Principles.

With respect to the transfer of Human Resources Data, FIT LP shall make reasonable efforts to accommodate Employee requests.

To the extent and for the period necessary to avoid prejudicing the ability of FIT LP to make promotions, appointments, or other similar employment decisions, FIT LP does not need to offer notice and choice.

##### Application of the Access Principle

The Supplemental Principle on Access provides reasons which may justify FIT LP denying or limiting access on request in the human resources context.



## Enforcement

Within the context of transfers of Human Resources Data from the EEA to the U.S., primary responsibility for Employee complaints rests with the EEA organization. Accordingly, when EEA Employees make complaints regarding the handling of Human Resources Data, and those complaints are not adequately resolved through internal procedures, they should be referred to the relevant European Data Protection Authority.

## Application of the Accountability for Onward Transfer Principle

For occasional employment-related operational needs of FIT LP with respect to Personal Information transferred under the Privacy Shield, such as the booking of a flight, hotel room, or insurance coverage, transfers of Personal Information of a small number of Employees can take place to Controllers without application of the Access Principles or entering into a contract with the Controller, provided that FIT LP has complied with the Notice and Choice Principles.

## **V. Contact Information**

Questions regarding this Policy should be submitted to:

Contact Office	Freudenberg IT LP
Contact Name	Raj Cirigiri
Contact Title	Quality Assurance Manager
Contact E-mail	Raj.Cirigri@freudenberg-it.com
Contact Phone	919-595-1339
Contact Fax	919-991-5860

## **VI. Changes to this Policy**

This Policy may, from time to time, be amended in order to comply with relevant changes in the Privacy Shield. FIT LP shall, through its website, notify Customers of material changes to this Policy.