

Privacy Notice

Last Updated February 2nd, 2021

The District Council 16 International Union of Painters & Allied Trades ("DC16", the "Union", "us", "we", or "our") has created this Privacy Notice so you can understand how we will collect, use, disclose and protect information about you.

01. Scope of Privacy Notice:

DC16 provides a platform for its members ("members") and other individuals to learn more about the Union's operations and activities, find new members, and engage in political campaigns. DC16 also maintains a payment portal whereby a member can pay his/her union dues (the "Payment Portal"). At times, the DC16 website or Payment Portal may redirect members to other affiliated websites or third-party providers.

This Privacy Notice describes how and when we collect, use and share your information across our websites, SMS, APIs, email notifications, applications, buttons, embeds, ads, and our other covered services that link to this Policy (collectively, the "Services"). For example, you send us information when you use our Services on the web, when you register for and provide your personal information to us through the Payment Portal, or through the International Union of Painters and Allied Trades ("IUPAT"). When using any of our Services, including the Payment Portal, you consent to the collection, transfer, storage, disclosure, and use of your information as described in this Privacy Notice. This includes any information you choose to provide that is deemed sensitive under applicable law.

This Privacy Notice applies to the (i) DC16 website, [www.dc16iupat.org] (the "Website"); (ii) the use of Services; and (iii) the use of the Payment Portal. By using the Website, Services, and Payment Portal, you consent to the privacy practices described in this Privacy Notice.

When this notice mentions "we" or "us," it refers to the controller of your information under this policy, DC16. Despite this, you alone control and are responsible for the posting of your information and other content you submit through the Services, as provided in the Terms of Use and Terms and Conditions.

You authorize us to transfer, store, and use your information in the United States, and any other country. In some of these countries, the privacy and data protection laws and rules regarding when government authorities may access data may vary from those in the country where you live.

This Privacy Notice does not apply to information about you collected: (i) by third party services, applications or websites, or advertisements associated with, linked to or otherwise accessible from the Website; or (ii) by third party individuals, retailers, financial institutions or other firms or

companies with which you conduct transactions or communications facilitated and/or confirmed through use of the Services (“Third Party Transactions”). The information collected and received by such third parties is subject to their privacy policies and under no circumstance is DC16 liable for the third party’s compliance therewith. You should review the privacy policies of third parties with whom you conduct or engage in Third Party Transactions.

02. Collection, Use and Disclosure of Information:

We may collect information from or about you in a number of ways, including: (i) when you give it to us; (ii) when you give us permission to obtain it; (iii) when we obtain it from other sources; and (iv) automatically when you use our Services.

Visiting Our Website

We, and our third-party service providers, may automatically collect information from visitors to our Website, including individuals who do not register as members, the following information:

- Your Internet protocol (IP) address;
- The web page from which you entered our Website;
- The type of web browser or operating system you are using;
- The name of your internet provider; and
- Your activity while using the Website (including access times, new and repeat visit information, which of our web pages you visit, how long you spend on each page, and exit page information).

How We Use Cookie Technology

To collect internet data we may use cookie technology. A “cookie” is a text file that is placed on your hard disk by a web page server. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you. Cookies cannot be used to run programs or deliver viruses to your computer. We may use both session cookies and persistent cookies to better understand how you interact with our Services, to monitor aggregate usage by our users and web traffic routing on our Services, and to customize and improve our Services. We may also use pixel tags, web beacons, clear GIFs, JavaScript or other technologies. These are online technologies that function similarly to cookies and help us track activities on our Website and to count users who open our HTML-formatted email messages.

Most popular Internet browser applications will allow you to configure the browser so as not to accept cookies. However, setting your browser to reject cookies may, in certain instances, prevent you from taking full advantage of the Website (or some portion thereof) and its capabilities, or cause some features of the Website to function improperly or more slowly.

Using Our Services

We can obtain your personally identifiable information (“Personal Information”) when you provide us the information to process your union dues through the Payment Portal or through the general

use of the website.

If you are using the Payment Portal, we can collect Personal Information about you. Any personal information you provide to us may be used to contact you so that we may process your payment or provide you with information about your online dues payment. Any financial information provided through the Payment Portal is collected and stored by a Third Party (see below). The Personal Information DC16 collects is as follows:

- Name
- Mailing address
- Member identification number
- Email address
- Telephone number

Use of Services without a Member Profile

We receive information when you view content on or otherwise interact with our Services, even if you do not set up a payment through the Payment Portal ("Log Data"). Some of our features do not require you to create an account. For example, when you visit our websites, sign into our Services, interact with our email notifications, use your account to authenticate to a third-party website, application, or service, or visit a third-party website, application, or service that includes DC16 content, we may receive information about you. This Log Data may include your IP address, browser type, domain names, access times, referring website addresses, or cookie information. We also receive Log Data when you click on, view or interact with links on our Services, including links to third-party applications. We keep Log Data as needed for the purposes described in this Privacy Notice.

Third-Parties and Affiliates

We may receive and share information about you from third parties, including the IUPAT, your Local Union, and other third party sources. We use certain third parties to support the DC16 website, such as Google and Authorize.net. We may also collect Personal Information from third-parties if they receive a notification that your account information in our database is inaccurate and needs to be changed. In addition, we may collect Personal Information to verify your identity, and protect against or prevent actual or potential fraud or unauthorized use.

How We Use and Disclose Personal Information Collected When You Visit Our Website or Use the Payment Portal

DC16 may receive and share Personal Information with the IUPAT. Further, we may share your Personal Information with our Service Providers (any person or company with whom we have entered into a legal arrangement for joint provision of or shared responsibility for provision of the Website, Services, or Payment Portal we provide) or business associates who assist us in administering our Website, Services, or Payment Portal. Accordingly, we may use and disclose Personal Information collected when you visit our Website or use our Services for certain purposes, including:

- To contact our member;
- To notify our members about DC16 services;
- To verify changes you have made to your Personal Information;
- To facilitate your registration on our Website and to resolve issues relating to your DC16 member data;
- To resolve a problem related to a transaction related to our Services;
- To verify your identity;
- To test, correct and improve our content and services;
- To analyze how the Website is being accessed and used;
- To improve the Website's performance and delivery;
- To customize your user experience;
- To develop new products and services;
- To comply with applicable laws and legal requirements (e.g. subpoena, court order, etc.);
- If it is necessary to allow our service providers or agents to provide services for us (such service providers or agents being required to maintain the confidentiality of your information with equal or greater protections than those provided by us);
- If it is necessary in connection with other business purposes including, without limitation, customer care, service quality, business management and operation, risk assessment, security, fraud and crime prevention/detection, monitoring, research and analysis, marketing and dispute resolution;
- If it is necessary as part of a merger, divestiture or acquisition; and /or
- If it is necessary for us to provide it to our attorneys, accountants, regulators, auditors or other advisors.

We may use and disclose automatically collected internet data primarily for purposes of administering, testing, protecting and improving our Website, Services, Payment Portal or any other Service we provide, analyzing how the Website, Services, or Payment Portal is being accessed and used, to better understand the preferences of our visitors and members, identifying server problems, measuring effectiveness of our communications and success of our information campaigns, and personalizing your experience on our Website, Services, or Payment Portal.

Service Providers

We engage service providers to perform functions and provide services to us in the United States, and other countries. For example, we use a variety of third-party services to help provide our Services, and to help us understand and improve the use of our Services, such as Authorize.net (DC16's Payment Card Provider) and Google Analytics. We may share your Personal Information with such service providers subject to obligations consistent with this Privacy Notice and any other appropriate confidentiality and security measures, and on the condition that the third parties use your private personal data only on our behalf and pursuant to our instructions.

We use Authorize.net to process your payments through the Payment Portal. The information collected includes your credit or debit card number, card expiration date, CVV code, and billing address with payment services providers to process payments; prevent, detect and investigate

fraud or other prohibited activities; facilitate dispute resolution such as chargebacks or refunds; and for other purposes associated with the acceptance of credit or debit cards. DC16 does not collect or store the payment information. You may receive an email receipt from Authorize.net related to the transaction. If you have any questions or concerns regarding the collection and storage of your personal information, you should direct those questions and concerns to Authorize.net and review their Privacy Notice.

Non-Personal, Aggregated, or Device-Level Information

We may also create or compile aggregated and de-identified data, which is data that is derived from various sources, including accounts and transactions. This information, which does not identify individuals, is used by DC16 for its business purposes, which may include offering services, research, marketing or analyzing market trends, and other purposes consistent with applicable laws.

We may, however, share non-personal, aggregated, or device-level information through partnerships with entities that may use data in their possession (including data you may have given them) to link your name, email address or other personal information to the information we provide them. You can control whether DC16 shares your information under these partnerships by changing your user settings.

User Consent or Direction

We may share or disclose your information at your direction to access your account or when you direct us to share your feedback with an organization. When logging in to a third-party application, you are directing us to share your contact information, such as your phone number, with that application.

Disclosure pursuant to law, regulation, legal process, or governmental request

Notwithstanding anything to the contrary in this Privacy Notice, we may preserve or disclose your information if we believe that it is reasonably necessary to comply with a law, regulation, legal process, or governmental request; to protect the safety of any person; to address fraud, security or technical issues; or to protect our or our users' rights or property. However, nothing in this Privacy Notice is intended to limit any legal defenses or objections that you may have to a third party, including a government's request to disclose your information.

Business Transfers and Affiliates

This Privacy Notice will apply to your information as transferred to IUPAT and your local Union. We may also disclose information about you to other affiliates in order to help provide, understand, and improve our Services and our affiliates' services.

03. Additional Information:

Not **for** **Children**
Our Website and Services are not intended for children and we do not knowingly collect information from children under the age of 18. If you have reason to believe that we collected or

are in possession of Personal Information from someone under 18 years of age, please let us know.

If you are under 18, please do not attempt to register for the Website or Services, or send any information about yourself to us. By using the Website or using the Services, you represent that you are 18 years of age or older.

Do Not Track
Our Website does not respond to “Do Not Track” signals. We do not collect personally identifiable information about your online activities over time and across third party websites or online services nor do we allow other parties to do so.

Our Security Safeguards
We take reasonable measures to safeguard your information, including technical, administrative and physical security controls to protect from unauthorized access, disclosure, or use. However, despite even our best efforts, the security of data transmission over the Internet cannot be completely guaranteed. You should always take precautions regarding how you handle and disclose your personal information and should avoid sending it through unsecure channels. Additional information regarding DC16's Security Safeguards can be found in the Terms of Use, sections III, IV and V.

Linking to Third Party Websites
We may provide links to websites that are owned or operated by other third party companies and entities. When you use a link from the Website to visit a third party's website, you will be subject to that website's privacy policy/notice, which may be different from ours. You should carefully read the policies of the websites you visit. We are not responsible for the privacy practices of any websites that are not owned or operated by us.

We may keep track of how you interact with links across our Services, including our email notifications, third-party services, and member applications, by redirecting clicks or through other means. We do this to help improve our Services, to provide more relevant advertising and to be able to share aggregate click statistics such as how many times a particular link was clicked on.

Reviewing and Updating Your Information
Keeping your IUPAT profile information, Personal Information, and email addresses/mobile numbers, accurate and up-to-date is very important. If your member profile information is incomplete, inaccurate or not current, please update your information by logging into your IUPAT profile.

While you may be able to deactivate and/or delete your member account, DC16 cannot, in accordance with Federal law, permanently delete your member data. When deactivated, your account, including your name, username, and public profile, is no longer viewable by the member.

Please note that search engines and other third parties may still retain copies of your public

information, like your user profile information, even after you have deleted the information from the DC16 Services, IUPAT member information, or deactivated your account.

05. California Privacy Rights:

Under California Law, California residents have the right to request in writing from businesses with whom they have an established business relationship, (a) a list of the categories of personal information, such as name, email and mailing address and the type of services provided to the customer, that a business has disclosed to third parties (including affiliates that are separate legal entities) during the immediately preceding calendar year for the third parties' direct marketing purposes and (b) the names and addresses of all such third parties. DC16 does not engage in any marketing by nature of its status as a labor union. However, if you have any questions regarding the type and nature of the data collected beyond what is already provided in this Privacy Notice, please contact us through the email or address provided below.

06. International Users:

Our Website and Service are intended for a U.S. audience. If you visit or use the Website or use the Service, your information may be transferred or processed within the United States, a jurisdiction in which the privacy laws may not be as comprehensive as those in the country where you reside and/or are a citizen. By accessing the Website or using our Service, you acknowledge and agree that we may collect, process, store, use, disclose, and dispose of your personal information in accordance with the terms of this Privacy Notice.

07. Privacy Notice Changes:

We may revise this Privacy Notice from time to time. The most current version of the policy will govern our use of your information and will always be at [www.dc16iupat.org]. If we make a change to this notice that, in our sole discretion, is material, we will notify you via an email to the email address associated with your account. By continuing to access or use the Services after those changes become effective, you agree to be bound by the revised Privacy Notice.

08. Entire Agreement:

This Privacy Notice makes up the entire agreement between the parties regarding DC16's privacy notices, and supersedes any prior agreements. If any portion of this Privacy Notice is found to be unenforceable, the remaining portion(s) will remain in full force and effect. Failure to enforce any of this Privacy Notice will not be considered a waiver. Any amendment to or waiver of this Privacy Notice must be made in writing and signed by us. You will not transfer any of your rights or obligations under this Privacy Notice to anyone else without our consent. All of our rights and obligations under this Privacy Notice are freely assignable by us in connection with a merger, acquisition, sale of assets, operation of law, or otherwise. Nothing in this Privacy Notice shall prevent us from complying with the law. This Privacy Notice does not confer any third-party beneficiary rights. We reserve all rights not expressly granted to you.

09. Choice of Law:

This Privacy Notice will be governed by and construed under the laws of the State of California & Nevada, excluding only its conflict of law provisions. By using the Services, you hereby submit to the exclusive jurisdiction of the courts within the State of California & Nevada and waive any jurisdictional venue or inconvenient forum objections to such courts. You further agree to comply with any applicable federal, state and local laws in your use of the Services.

10. How to Contact Us:

If you have any questions regarding this Privacy Notice, please contact us at the information provided below. We will keep a copy of your message until we have had an opportunity to address your concerns. We may archive your message for a certain period of time or discard it, but your email address will not be used for any other purpose.

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