

## FLEX|N|GATE GROUP'S PRIVACY STATEMENT AND PERSONAL INFORMATION POLICY AND ACCOUNTABILITY CODE

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The Flex|N|Gate group of companies (“Flex|N|Gate”) respects the privacy of our employees, applicants, customers and our suppliers in all aspects of our business operations. We have a longstanding commitment to protecting your personal information when engaging with you in business. Your personal information is only collected, used and disclosed by Flex|N|Gate in accordance with applicable privacy legislation.

### **Our Commitment.**

We are accountable for your personal information and we are committed to maintaining its privacy and its security. Our employees, agents, associates or affiliates and each of their authorized representatives are aware of the importance of personal information and are fully responsible to protect your personal information within his/her respective area.

### **Your Personal Information.**

“Personal Information” means information that specifically identifies an individual and which is provided to, or collected by, Flex|N|Gate and its staff (or Flex|N|Gate agents, associates, and affiliates on Flex|N|Gate’s behalf). Examples of Personal Information include your individual name, address, residential telephone and fax numbers, email addresses, personal history, (including employment, financial and credit information (including social security, insurance or tax id number), donations, personal health information, billing history, personal family and relationship matters, penal or criminal information), personal information related to corporate involvements, work experience, discipline, income and other benefits, medical records, tax records, and security clearances. Personal Information however, does not necessarily include your name, business title or business address and business telephone number *in your capacity as an employee* of Flex|N|Gate or another organization.

Personal Information may be collected in the form of a resume, application form sent through email, fax or regular mail, information received through in-person interviews or telephone interviews, reference checks, through keeping track of website visitors and their contact information, from customers to whom we provide products or services, through temporary/ permanent placements, through results of skill tests, pre-employment testing, etc.

### **Privacy Officer.**

We have appointed a Privacy Officer who will comply with the applicable privacy legislation, on behalf of Flex|N|Gate. The Privacy Officer can be contacted at the addresses listed at the end of this document. While the office of the Privacy Officer is located in Canada, please note that we strive to comply with local personal information and protection of privacy laws and directives in all jurisdictions in which our businesses operate.

### **Why do we collect Personal Information?**

As a job applicant or potential supplier of services to one or more of the Flex|N|Gate companies, you are asked to provide information so that we can provide you with the best consideration and, where appropriate, placement. We also collect such information, where specifically required, to assure that we comply with particular laws and regulations, for insurance purposes, and in connection with proper corporate governance<sup>1</sup>.

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<sup>1</sup> Examples would include (but are not limited to): (1) insurance bonding requirements for persons who deal with cheques or currency, (2) banking law “known your customer” rules and laws which require background information on corporate officers; (3) customs and trade supply chain security rules such as the United States Customs and

In addition to your contact details, your resume or an application form, and a description of the type of work you are looking for, sent to us via email or via fax or regular mail, your Personal Information may also include the following:

- Our interview notes;
- Information obtained through reference and background checks;
- Educational records;
- Your in-person interviews or telephone interviews;
- Reference checks; and
- Skills testing results.

You are requested to provide us with Personal Information so that we can evaluate your application for employment or any change in your employment and determine the appropriate position for you or other steps to be taken within our organization. In addition to your contact details, company information sent to us via email or via fax or regular mail, your Personal Information may include the following:

- type(s) of job opening/s,
- critical requirements ,
- any benefits,
- salary structure, and
- any other related information

Your Personal Information will only be used for the specific purpose(s) for which we gathered it and for any purpose identified to us by you. In the event that you are a candidate for temporary staffing or contract services, we also require Information required to provide payroll services, including banking details, tax deductions and vacation allowances information about you and your beneficiaries, as required, to enrol you in our system.

If you are an independent contractor, we may also require Articles of Formation or Incorporation, Partnership Agreement and /or your business registration papers.

We use your information to:

- ✓ Understand your qualifications, needs and preferences;
- ✓ Find the best job opportunities for you that will give you the job satisfaction you are seeking;
- ✓ Fulfill our business units' requests for information about job candidates
- ✓ Provide you with appropriate training or career transition services;
- ✓ Assess and develop our business and operations to better service job seekers and our business units;
- ✓ Provide payroll and other HR functions to you and our business units; and

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Border Service's C-TPAT initiative; and (4) immigration information requiring background information to assure due and timely processing of employee immigration and transfer permissions.

- ✓ Assure that we are complying at all times with applicable insurance requirements, laws, rules and regulations.

Flex|N|Gate Group companies only collect the minimum amount of personal information that is required to fulfill these purposes, unless requested by the client and consented to by the job seeker or service provider.

### **When do we disclose personal information and to whom?**

Your information is only disclosed for our business purposes or as may be required to meet legal and regulatory requirements.

In the normal course of our business, we disclose your personal information to our business units when we feel there is a potential for a job placement. As a job seeker or service provider, we assume that you are relying on us to share such information. We only provide information required and requested to make an informed decision regarding a job candidate or service provider.

We may share your personal information with our affiliates, partners, contractors or other companies (representatives) that we use to administer HR functions (such as payroll processing, insurance companies and employment benefit providers). However, we only disclose information as required for the function that will be performed by the representative on our behalf. We also ensure that every contract we enter into with a representative clearly outlines the representative's obligation to protect your personal information and adhere to the principles of privacy.

Examples of organizations/ third parties we share your personal information with include:

- Organizations that perform background checks including criminal, educational and credit checks in connection with an application for employment or a proposal to provide a service;
- Outsourced payroll service providers, for temporary staffing arrangements;
- Employee testing or evaluation centers;
- Government bodies or law enforcement agencies as required by law; and
- Flex|N|Gate Group's associated, affiliated and related member entities.

### **Accuracy.**

We strive to ensure that Personal Information is as accurate, complete, and up-to-date as is necessary for the purposes for which it is intended.

### **Have you consented?**

Having read this policy and by providing us with your personal information, you consent to the collection, use, and disclosure of your Personal Information for the reasons specified herein as well as such other purposes for which we have advised you prior to collection.

Consent may be in writing or implied especially when you send us unsolicited personal information on paper and/or in electronic format. For example, we obtain your written consent before releasing your information to a third party who provides background checks on potential employees. If you continue to supply your information to us, we will assume that the consent we originally received is applicable for all information received from you.

We imply your consent in any circumstance where we feel that we are using your personal information for purposes that are obvious to you. For instance, if you list the names and phone numbers of your previous employers on your resume for reference checking purposes, we will not seek your consent before checking these references.

If you wish to withdraw your consent to use your personal information, please notify us in writing to our Privacy Officer the address set out on the past page of this document.

**How do we keep your personal information secure?**

Flex|N|Gate Group companies have security safeguards in place designed to protect against loss, theft, unauthorized access, disclosure, copying, use or modification of Personal Information in their care. The nature of the safeguards depends on the sensitivity, format, location and storage of the information; such measures include premises security, restricted file access; locked cabinets, computer passwords and encryption software.

**How can you access your personal information and check its accuracy?**

Flex|N|Gate Group companies rely on the personal and other information provided by you, as well as third parties (such as those providing references, educational institutions or those conducting background checks). We strive to gather and maintain accurate records of your Personal Information, however, this cannot be completely achieved without your help. In this ongoing effort, we ask you to provide us with your most up to date information. We provide individuals access to their respective Personal Information so that they can review and correct their Personal Information. We extend an open invitation to you to let us know in writing (care of our Privacy Officer) of any personal information you have given us in the past that is incomplete, inaccurate, or no longer relevant. It will be our pleasure to make appropriate modifications.

Upon receipt of your written request, Flex|N|Gate Group companies will release your personal information retained by us along with information about use and disclosure of the personal information. Requests should be directed in writing to the Privacy Officer at the address on the last page of this document.

**Limits on your right to access your Personal Information.**

Flex|N|Gate Group companies reserve the right to refuse or limit access to your personal information in certain special cases:

1. The information is protected by legal privilege;
2. Granting access would reveal confidential commercial information;
3. Doing so would reasonably be expected to threaten the life or security of another individual;
4. The information was collected for purposes related to the detection and prevention of fraud;
5. The information was generated in the course of a formal dispute resolution process;
6. The information would likely reveal personal information about another individual;
7. The request is vexatious or frivolous;
8. The information would prejudice negotiation with you; and
9. To protect our rights or property.

Apart from the above, there may be other reasons that could be considered justifiable to refuse access to your personal information. If you disagree with our decision to grant access you may contact our Privacy Officer for a determination.

**Contact us with any questions or concerns.**

Each member of the Flex|N|Gate Group of companies takes full responsibility for the management and confidentiality of the personal information which it collects. If you have any concerns about this policy, please write to our **Privacy Officer** at [privacy@flexngate.com](mailto:privacy@flexngate.com) or by regular mail to 409 Patillo Road, LAKESHORE, Ontario, N8N 2L9.