



## **EU-US PRIVACY SHIELD AND SWISS-US PRIVACY SHIELD POLICY**

### **AFFIRMATION OF EU-U.S. PRIVACY SHIELD AND SWISS-US PRIVACY SHIELD FRAMEWORKS**

Mind Your Business, Inc. ("Mind Your Business") complies with the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States. Mind Your Business has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

### **PARENT, SUBSIDIARY, OR AFFILIATE COMPANIES**

Mind Your Business has no parent, subsidiary, or affiliate companies that are covered by this EU-US Privacy Shield and Swiss-US Privacy Shield Policy.

### **TYPES OF, AND PURPOSE FOR, DATA COLLECTED**

Mind Your Business gathers personal information regarding individuals, who have unambiguously consented to in writing, on behalf of its clients by manually or electronically contacting the appropriate sources of the data (court records, references, licensing bureaus, etc.), including but not limited to: (1) criminal history at the federal, state, and local levels; (2) verification of credentials, including education and licensure; (3) state motor vehicle records abstracts; (4) consumer credit reports; (5) verification of present and past employment; (6) personal and professional references; (7) national and international sanctions and exclusions database checks; (8) sex offender registry checks; and, (9) drug and occupational health screening. Mind Your Business collects and uses personal information to prepare and provide background checks reports to employers or their agents (such as recruiters or staffing firms) for use in making employment-related decisions, such as who to hire, retain, promote, or re-assign. These reports may at times be used for: (1) investigation into a suspicion of work-related misconduct or wrongdoing; (2) investigation into matters of employee compliance with employer policies; or, (3) investigation into matters of employee compliance with federal, state, or local laws and regulations.

## **POINT OF CONTACT FOR EU PRIVACY INQUIRIES AND COMPLAINTS; INDEPENDENT DISPUTE RESOLUTION MECHANISM**

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

Mind Your Business, Inc.  
Attn: Lauren Harrell  
500 Beverly Hanks Center  
Hendersonville, NC 28792  
1-828-698-9906  
lharrell@mybinc.com

Mind Your Business has further committed to refer unresolved Privacy Shield complaints to BBB EU PRIVACY SHIELD, an alternative dispute resolution provider located in the United States and operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please contact or visit [www.bbb.org/EU-privacy-shield/for-eu-consumers/](http://www.bbb.org/EU-privacy-shield/for-eu-consumers/) for more information or to file a complaint. The services of BBB EU PRIVACY SHIELD are provided at no cost to you.

## **TYPES OF THIRD PARTIES TO WHICH PERSONAL INFORMATION IS DISCLOSED AND PURPOSE FOR SUCH DISCLOSURE**

Mind Your Business provides personal information to employers and their agents (such as recruiters or staffing firms) for the purposes stated in Section 4 above.

## **RIGHT OF INDIVIDUALS TO ACCESS THEIR OWN PERSONAL INFORMATION FOR CORRECTION, AMENDMENT, OR DELETION**

Mind Your Business acknowledges that individuals have the right to access their personal information. An individual may request, in writing, access to all personal information collected and maintained about him or her by Mind Your Business. Upon receipt of such request, Mind Your Business will provide all such information in a manner and form that maintains the security and confidentiality of the information. Mind Your Business affords the individual a reasonable opportunity to correct, amend, or delete information that is inaccurate or incomplete, except where the burden or expense of providing access would be disproportionate to the risks to the individual's privacy, or where the rights of persons other than the individual would be violated. In cases where the information is subject to the Fair Credit Reporting Act ("FCRA"), Mind Your Business complies with the FCRA's requirements regarding access and correction rights of consumers. To request information relating to his or her personal information, the party may contact Mind Your Business by e-mail at the following email address, lharrell@mybinc.com, or by fax at 1-828-698-9918. In addition, the individual will be asked to provide enough evidence of his or her identity, so we may ensure that information is being released only to the subject of the data. If we are unable to provide the individual with access to his or her personal information or to correct the data, we will notify the individual and provide all relevant details and circumstances preventing Mind Your Business from doing so.

## **LIMITING USE AND DISCLOSURE OF PERSONAL INFORMATION**

Although Mind Your Business obtains an individual's unambiguous consent in writing to its gathering and disclosure of personal information, and because of Mind Your Business's commitment to afford individuals every possible protection, if you would like to opt-out from Mind Your Business using your personal information, send an email to lharrell@mybinc.com or call 1-828-698-9906. If opting-out by email or telephone, please provide us with: (1) your complete legal name; (2) month and year of birth; and, (3) the name of the Mind Your Business client with whom you have applied for a position.

## **INVESTIGATORY AND ENFORCEMENT AGENCIES**

Mind Your Business is subject to the investigatory and enforcement powers of the Federal Trade Commission ("FTC") and the Consumer Financial Protection Bureau ("CFPB").

## **INVOCATION OF BINDING ARBITRATION**

Under limited circumstances, an individual may invoke binding arbitration as the method for dispute resolution in accordance with the requirements and procedures set forth in Annex I of the Privacy Shield Framework. Annex I can be found at <https://www.privacyshield.gov> under the link at the bottom of the page entitled "Framework Text".

## **DISCLOSURE OF PERSONAL INFORMATION PURSUANT TO LAWFUL REQUEST**

Mind Your Business is required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

## **ONWARD TRANSFER OF PERSONAL INFORMATION TO THIRD PARTIES**

In the context of an onward transfer, Mind Your Business has responsibility for the processing of personal information it receives under the Privacy Shield and subsequently transfers to a third party acting as an agent on its behalf. Mind Your Business remains liable under the EU-US and Swiss-US Privacy Shield Principles if its agent processes such personal information in a manner inconsistent with those Principles, unless Mind Your Business proves that it is not responsible for the event giving rise to the damage.

## **HUMAN RESOURCES DATA WITHIN THE CONTEXT OF THE EMPLOYMENT RELATIONSHIP**

If Mind Your Business receives human resources data for an employee within the context of the employment relationship, Mind Your Business commits to resolve complaints about your privacy and our collection or use of your personal information. European Union or Swiss citizens with inquiries or complaints regarding this privacy policy should first contact Mind Your Business at:

Mind Your Business, Inc.  
Attn: Lauren Harrell  
500 Beverly Hanks Center  
Hendersonville, NC 28792  
1-828-698-9906  
[lharell@mybinc.com](mailto:lharell@mybinc.com)

If we are unable to resolve your human resources privacy complaint, Mind Your Business is committed to cooperate with the EU or Swiss Data Protection Authority as an independent recourse mechanism.

*"Pursuant to the Privacy Shield, Mind Your Business, Inc. remains liable for the transfer of personal data to third parties acting as our agents unless we can prove we were not a party to the event giving rise to the damages."*

*Effective February 15th, 2019*