

# Privacy Policy

**Last Updated: January 11, 2023**

This Privacy Policy explains how information about you is collected, used and disclosed by Franklin Systems Inc. and its subsidiaries (collectively, “Franklin,” “we,” “us” or “our”) when you access or use our website (<https://www.hellofranklin.co/>), (the “Site”), or our online payroll or other services (collectively, the “Services”). By accessing the Site or using the Services, you agree to our collection, use and disclosure of your information as outlined in this Privacy Policy. If you access our Services through your employer or another entity (our “Customer”), please note that this data and your account are controlled by the Customer and we process this data at their direction.

## **1. Information We Collect and How We Collect it**

When you access our Site or use the Services, we collect and store certain information about you, including “personal information.” Personal information is information that, alone or in combination with other information in our possession, could be used to personally identify you. We collect the following categories of personal information and other information as described below.

### **A. Information you provide**

*Information You Provide Directly.* We may collect or receive the following categories of personal information when you, your employer, or your employer’s designated administrator or accountant access the Site, request to receive information about Franklin or its Services, create an account, verify your identity, use any of the Services, or otherwise communicate with us, including through customer support channels.

- Financial Information, such as:
  - Bank account and routing number
  - Bank account balance and transaction information
- Identification Information, such as:
  - Name, mailing address, email address, phone number, birthdate
  - Social Security number, Taxpayer Identification number
  - Government-issued documentation, such as drivers license or passport
- Taxpayer Information, such as:
  - Federal Employer Identification Number (FEIN)
  - Tax withholding selections, including how many dependents you have, jobs you've worked in a year, and your tax filing status
- Health and Welfare Benefits Information, such as:
  - Identification information for you and your dependents
  - Life events and conditions that impact benefits eligibility, including marital status, employment information, and illness or disability information
  - Insurance policy information, including plan numbers, benefits and coverage information, and premium amounts
  - Insurance claim information, including monetary amounts, CPT codes, and other information required to process or verify claims

*Other Information You Voluntarily Choose to Provide.* We may collect information, including personal information, that you voluntarily provide to us when you:

- participate in surveys, contests, sweepstakes, or promotions
- register for, attend, or participate in conferences, webinars, or events
- provide us feedback or comment on our blogs or social media pages
- submit information to us so that we can assess potential business opportunities
- apply for a job position with us

## **B. Information collected automatically**

We automatically collect certain information when you access the Site or use the Services.

- Communication Information, such as:
  - audio, electronic, or visual information, which includes screen sharing views
  - any data in any files uploaded, emailed or otherwise provided by customers
  - the contents of your communications with us, whether via email, social media, telephone or otherwise and inferences we may make from other Personal Information we collect

We collect this information for the uses stated in this policy or to provide accommodations under applicable law including the Americans with Disabilities Act.

- Electronic & Online Identifiers (IDs), such as:
  - If on a mobile device: mobile carrier, device IDs, and mobile advertising IDs
  - If using a browser: operating system, browser type, and Internet Protocol (IP) address
- Internet Activity Information, such as:
  - Your “log-in” and “log-out” information
  - The pages that you visit before, after, and while using our Services
  - Pages you visit, links you click, and the content you view on the Site
- Single Sign-On Information (SSO) that allows us to verify your authorized access to the Services from another service you use and with which we partner, such as your email.
- We collect information using Tracking Technologies, such as:
  - Cookies, which are small text files that websites send to your computer or mobile device. This includes session cookies (which are deleted once you close your browser) and persistent cookies (which remain on your computer or device until you delete them or they expire)

- We use the third-party tools, including:
  - Google Analytics. For more information, visit [Google Analytics' Privacy Policy](#)
  - Zeal Payroll. For more information, visit [Zeal's Privacy Policy](#)
- *Social Media Platforms*. Our Services may contain social media buttons such as LinkedIn, Twitter (that might include widgets such as the “share this” button or other interactive mini programs). These features may collect your IP address, which page you are visiting on our Services, and may set a cookie to enable the feature to function properly. Your interactions with these platforms are governed by the privacy policy of the company providing it.

### **C. Information collected from third parties**

We may collect and receive information about you, including personal information, from third parties, such as your employer, your employer's accountant or service providers, financial institutions, credit bureaus, insurance carriers and third-party administrators, and our service providers, for the purposes described in this Privacy Policy. In addition, we may receive demographic and business industry information about you from third parties to help us better understand our users and to improve and market the Services.

## **2. How We Use Your Information**

We use information that we collect about you for the following purposes:

- *To develop and provide you with the Site and Services, including to:*
  - operate the Site, manage accounts and provide the Services
  - determine your eligibility for our Services and our partners' programs
  - improve, personalize, and enable your use of the Site and Services
  - develop new products and features

- *To protect Franklin, our users, and the public, and comply with applicable law, regulation, or legal process, including to:*
  - validate user information for fraud and risk detection purposes
  - resolve disputes and protect the rights of users and third parties
  - respond to claims and legal process (such as subpoenas and court orders)
  - monitor and enforce compliance with the applicable Terms of Service
  - prevent or stop any activity that may be illegal, unethical, or legally actionable
- *To operate our business, including to:*
  - process payment transactions
  - manage and enforce contracts with you or with third parties
  - manage our corporate governance, compliance and auditing practices
  - recruit new hires, if you submit an application for employment with Franklin
  - generate anonymized or aggregated data
- *To communicate with you as part of your use of Services, including to:*
  - respond to requests or questions you submit to our support staff
  - send you surveys and get your feedback about the Services
  - otherwise contact you with Services-related notices
- *To advertise and market to you, including to:*
  - determine your eligibility for certain programs, events, and offers
  - inform you of our or our partners' products, services, features or promotions
  - provide you with newsletters, articles, reports, and announcements
  - develop "interest-based" or "personalized advertising," including through cross-device tracking
- *For any other purpose for which you, your employer, or your employer's agent expressly authorize us to use your information.*

### **3. When and with Whom We Share Your Information**

We will only share your information with the categories of third parties listed below for the purposes described above in the “Use of Your Information” section, unless otherwise noted at the point of collection.

- *Service Providers* that have signed an agreement with us that limits how they use your information and promises to keep your information confidential. Examples include:
  - banks, financial institutions, and credit bureaus
  - companies or organizations that provide services such as website hosting (ex: AWS), customer management (ex: Hubspot) and customer service
- *Business Partners* with whom we jointly offer products or services. Examples include:
  - insurance carriers and third-party administrators, for users of the Benefits Service. We will share your protected health information (as defined in 45 C.F.R. Part 160) only as is (i) authorized by you; (ii) necessary for us to provide you with the Benefits Service; and (iii) compliant with the Health Insurance Portability and Accountability Act (“HIPAA”) and the Health Information Technology for Economic and Clinical Health Act (“HITECH”), as amended from time to time.
  - third-party partners that provide services through our Site or Services, such as accounting software (ex: Quickbooks) and 401(k) management (ex: ForUsAll).
- *Government agencies*, including taxing authorities and their authorized collectors, in the countries in which we operate, only as necessary for us to provide you with the Services.
- *Other parties under the circumstances described below:*
  - for legal reasons, including:
    - with companies that verify your identity for us and detect fraud
    - with legal and financial advisors, auditors, examiners, and certain (including potential) investors
    - with companies that may acquire us, if we are involved in a merger, acquisition, or sale of assets

- to comply with applicable law, regulation, or legal process, including to:
  - comply with law enforcement or national security requests
  - comply with legal process, such as a court order or subpoena (including in a country other than your home country)
  - protect your, our, or others' rights, property, or safety
  - enforce our policies or contracts and collect amounts owed to us
  - assist with an investigation or prosecution of suspected or actual illegal activity
- to manage the referral program, including emailing potential customers that you have referred to us, which reference your name as the referral source
- to further public policy goals, including:
  - publishing reports that incorporate aggregated, non-personally identifiable information about customer attributes, transactions, and behavior
  - sharing data containing aggregated and/or non-personally identifiable customer information with non-profit or non-partisan organizations, academic institutions, think tanks, trade associations, consultancies, or similar organizations, only if they have signed an agreement with us that restricts how they can store, access, share, and use the information
- for any other purpose and to any other person with whom you, your employer, or your employer's agent expressly authorize us to share your information

#### **4. Your Privacy Rights**

*Your Privacy Rights.* In accordance with applicable law, you may have the following rights. To exercise these rights, please contact us as set forth below.

- Access personal information about you, including confirming whether we are processing your personal information and obtaining access to your personal information
- Request correction of your personal information where it is inaccurate or incomplete

- Request deletion of your personal information
- Request restriction of or object to our processing of your personal information
- Withdraw your consent to our processing of your personal information.

## **5. Important Information**

### **Security**

We employ administrative, physical and technical measures designed to protect your information from unauthorized access and to comply with applicable privacy laws in the states and countries in which we operate. Your personal information will be kept on our servers or on those of our service providers and only those employees that require it for the purposes of their duties will have access to your personal information. We have also implemented controls which require our third-party service providers and partners to have appropriate safeguards to protect your personal information. However, despite these efforts, no security measures are perfect or impenetrable and no method of data transmission can be guaranteed to prevent any interception or other type of misuse. We also depend on you to protect your information. If you become aware of any breach of security or privacy, please notify us immediately. To the fullest extent permitted by applicable law, we do not accept liability for unauthorized disclosure.

### **International Data Transfers**

All information processed by us or our service providers may be transferred, processed, or stored anywhere in the world, including in countries that may have data protection laws that are different from the laws where you live. Your information may be accessible to the courts, law enforcement, and national security authorities of the United States. We endeavor to safeguard your information consistent with the requirements of applicable laws. If your personal information is transferred to a country other than your home country, we will take measures to protect your personal information with appropriate contract clauses. To obtain more information about



Franklin's policies and practices with respect to service providers outside your country, please contact us as set forth below.

#### **Links to Other Sites**

This Privacy Policy only covers the privacy practices of Franklin. It does not apply to the practices of third-party websites, services, or applications, even those who we have partnered or integrated with. Third-party services handle your information in accordance with their own practices and privacy policies. We are not responsible for their policies, practices, or handling of your information.

#### **Our Policy Toward Children**

The Service is not directed to children under 13. However, if a child under the age of 13 is a dependent on a benefits plan covered by the Benefits Service, we may collect information about the child (solely as needed to provide the Benefits Service) from the child's parent or legal guardian, or from insurance carriers and third-party administrators.

#### **Verifiable Consumer Requests**

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. In order to verify your request, we will ask you to provide your name, email address, and certain other pieces of identifying information. Once you have submitted this information and any necessary supporting documentation, we will confirm the information by reviewing it against Franklin's records. To designate an authorized agent, please contact us as set forth below.

#### **Changes to this Privacy Policy**

Any information that we collect is subject to the Privacy Policy in effect at the time such information is collected. We may, however, modify and revise our Privacy Policy from time to time. If we make any material changes to this policy, we will notify you of such changes by posting them on the Site, informing you through the Services, or sending you an email or other notification, and we will indicate when such changes will become effective. By continuing to access or use the Site or the Services after those changes become effective, you agree to be bound by the revised policy.

### **Contact Information**

If you have any questions about our privacy practices or this Privacy Policy, or to exercise your privacy rights as detailed in this Privacy Policy, please contact us at:

[support@hellofranklin.co](mailto:support@hellofranklin.co)