

**DATA PRIVACY FRAMEWORK PRIVACY POLICY FOR EU, UK, AND  
SWISS PERSONAL  
DATA  
TRANSFERRED  
INTO THE  
UNITED STATES**

The following policy is designated to comply with the Data Privacy Framework (DPF) requirements. It specifically applies to records we receive from Europe. However, Edefacts takes the security of all consumer personal identifying information (“PII”) and related information as a top priority regardless of the country of origin of the PII. The following points relate specifically to the DPF requirements.

**Certification With EU-US  
Data Privacy Framework, the  
UK Extension and the US-  
Swiss Data Privacy  
Framework**

Edefacts complies with the EU-U.S. Data Privacy Framework program (EU-U.S. DPF), the UK Extension to the EU-U.S. DPF, and the Swiss-U.S. Data Privacy Framework program (Swiss-U.S. DPF) as set forth by the U.S. Department of Commerce. Edefacts has certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles (EU-U.S. DPF Principles) with regard to the processing of personal data received from the European Union in reliance on the EU-U.S. DPF and from the United Kingdom (and Gibraltar) in reliance on the UK Extension to the EU-U.S. DPF. Edefacts has certified to the U.S. Department of Commerce that it adheres to the Swiss-U.S. Data Privacy Framework program Principles (Swiss-U.S. DPF Principles) with regard to the processing of personal data received from Switzerland in reliance on the Swiss-U.S. DPF. If there is any conflict between the terms in this privacy policy and the EU-U.S. DPF Principles and/or the Swiss-U.S. DPF Principles, the Principles shall govern. To learn more about the Data Privacy Framework (DPF) program, and to view our certification, please visit <https://www.dataprivacyframework.gov/>.

In compliance with the Data Privacy Framework Principles, Edefacts commits to resolve complaints about your privacy and our collection or use of your personal information transferred to the United States pursuant to the DPF Principles. European Union, Swiss and United Kingdom individuals with DPF inquiries or complaints should first contact Edefacts at:

**Andrew Klein  
President  
(866) 777-1322  
andrewk@usbcorp.net**

Edefacts has further committed to refer unresolved privacy complaints under the DPF Principles to an independent dispute resolution mechanism, Data Privacy Framework Services, operated by BBB National Programs. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit

<https://bbbprograms.org/programs/all-programs/dpf-consumers/ProcessForConsumers> for more information and to file a complaint. This service is provided free of charge to you. If your DPF complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See <https://www.dataprivacyframework.gov/s/article/G-Arbitration-Procedures-dpf?tabset-35584=2>

### **Types Of Data (Data Integrity)**

Edufacts seeks background information for employment purposes for employment within the United States. In the course of processing the requested reports, we receive the following information: full consumer names, prior names used by the consumer, date of birth, address, government ID numbers and on occasion fingerprints. On rare occasions, when we need additional information to match or eliminate a record, we may request a photo ID, physical description, eye color, and/or race. All of this information is sought and maintained solely to establish legal compliance that Edufacts has reasonable procedures to ensure maximum accuracy of our reports and that the reports relate to the subject of the report.

### **Purpose For Which Data Is Collected**

Edufacts conducts employment background screening for employers within the United States. The purpose of this screening is to aid employers in hiring or promoting qualified applicants. The screening also assists employer in identifying any risk an applicant may pose to the employer, coworkers, customers or third parties in performing their job which can be identified, in part, by past criminal conduct. Under the Data Privacy Framework this is considered Human Resources Data. To the extent to which we can report this information it is restricted by the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §1681, as well as state laws.

### **Contact Information**

If you are a person covered by the Data Privacy Framework, you may contact us at any time between 8:00 a.m. and 5:00 p.m. Monday through Friday. We are in the Pacific Time zone. You may contact us to obtain general information regarding our compliance with the Data Privacy Framework or issues specific to any information we have obtained about you including to whom any information about you has been furnished. Please contact:

**Andrew Klein**  
**President**  
**(866) 777-1322**  
**[andrewk@usbscorp.net](mailto:andrewk@usbscorp.net)**

## **Recipients Of DPF Data**

Edufacts only distributes information to employers within the United States of America that have a “permissible purpose” of “employment” under the FCRA. Employment purpose is to find under the FCRA as information: “used for the purpose of evaluating a consumer for employment, promotion, reassignment or retention as an employee.” Depending upon the specific circumstances, this purpose also applies to independent contractors, and “volunteers”. Further, no information regarding you may be requested unless you have provided your written consent for the employer to obtain this type of information under the DPF process and under the FCRA requirements. This is Human Resource Data and cannot be used for any other purpose.

## **Your Right To Access Your Data**

You have the right to obtain our confirmation of whether we maintain personal information relating to you. Upon request, we will provide you with access to the personal information that we hold about you. You may also may correct or amend the personal information we hold about you. In addition to this you have the right to demand erasure of personal data that has been handled in violation of the DPF Principles. An individual who seeks access, or who seeks to correct, amend inaccurate data, or delete mishandled data, should direct their query to [andrewk@usbcorp.net](mailto:andrewk@usbcorp.net). If requested to remove data, we will respond within a reasonable timeframe.

Your right to access your Personal Data may be restricted in exceptional circumstances, including, but not limited to, when the burden or expense of providing this access would be disproportionate to the risks to your privacy in the case in question, or when the rights of persons other than you would be violated by the provision of such access. If we determine that your access should be restricted in a particular instance, we will provide you with an explanation of our determination and respond to any inquiries you may have.

## **Your Choices In Regard To The Release of Data**

In regard to DPF data you can opt out, that is, prohibit the disclosure, of information being forwarded to us to our employer customers. The failure to allow such disclosure will likely result in the denial of employment, promotion, etc., but such is your right for Data Privacy Framework data.

The Data Privacy Framework prohibits the disclosure of the following data without your specific permission: medical information, race/ethnic origin, political opinions, religious/political beliefs, trade union membership and sex life. We do not request such information except information on a consumers race/ethnic origin, but only when we need to use it as an identifier to match information to the subject of the report.

To limit the use and disclosure of your personal information, please submit a written request to [andrewk@usbcorp.net](mailto:andrewk@usbcorp.net).

## Disputes And Other Questions

Any EU, UK or Swiss individual with a privacy complaint should pursue the following steps to have their concern addressed.

**Step 1 For EU, UK and Swiss Consumer and Human Resources Complaints:** USBS has an internal dispute process that can receive and investigate any factual dispute of information covered by the DPF Principles.

You may contact our dispute department at: telephone: (866) 777-1322; email: [andrewk@usbcorp.net](mailto:andrewk@usbcorp.net) and describe your dispute/issue. We may request documentation to supplement your request and we will require proper identification before we release any information to you as a protection against a third party obtaining your information. Within five (5) days of the completion of the investigation, we will advise you of the results of our investigation. If information has been changed or deleted, you are entitled to ask that the new revised report be sent to the prior recipients. This service is free.

**Step 2 For Consumer and Non-Human Resources Complaints:** If the internal investigation process does not resolve the dispute/issue to your satisfaction, Eductacts has further committed to refer unresolved privacy complaints under the Data Privacy Framework Principles to Data Privacy Framework Services, a non-profit alternative dispute resolution provider located in the United States and operated by BBB National Programs. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit <https://bbbprograms.org/programs/all-programs/dpf-consumers/>

[ProcessForConsumers](#) s service is provided at no cost to you. If your DPF complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms.

See <https://www.dataprivacyframework.gov/s/article/G-Arbitration-Procedures-dpf?tabset-35584=2>

**Step 2 For Human Resources Complaints Within the HR Relationship:** If the internal investigation process does not resolve the dispute/issue to your satisfaction, Eductacts commits to cooperation with the EU data protection authorities (DPA's), the United Kingdom Information Commissioner's Office (ICO), and/or the Swiss Federal Data Protection and Information Commissioner (FDPIC), as applicable, with regard to human resources data transferred from the EU or Switzerland in the context of the employment relationship. These services are provided at no cost to you.

## Security

Eductacts has adopted process and procedures to protect your information and your privacy. Information transmitted to us from Europe is done on an encrypted or other secure basis. When information is in our possession or that of our third party processing platform provider, it is protected by commercial firewalls, malware, etc., to protect the information from an unauthorized internal and external access and from attack. When your information is transmitted to our employer customer, end-user, it is sent via encryption email or other secure means. At all times, your information is protected by reasonable commercial processes, programs and

procedures. We maintain your data only for so long, as it is needed to establish compliance with the Data Privacy Framework and United States consumer protection laws.

### **Regulatory Authority**

Edufacts is subject to the investigatory and enforcement powers of the Federal Trade Commission (FTC).

### **Disclosures Of Information To Governmental Authorities**

Edufacts may be required to disclose an individual's personal information in response to a lawful request by public authorities, including to meet national security or law enforcement requirements.

### **Onward Transfer Of Data Privacy Framework Data (Liability)**

Edufacts seeks information only for its United States employer customers to be used for human resource/employment purposes. Our customers must agree in writing to comply with the Data Privacy Framework Principles. They agree to protect your data and use it only in accordance with your consent instructions. It is the responsibility of Edufacts to obtain certifications and assurances of compliance with the DPF Principles. Edufacts remains liable if a third party, acting as our agent, processes information in a manner inconsistent with the Principles, unless we can prove we were not a party giving rise to the damages. Our customer's compliance is subject to our review. If there is a pattern of non-compliance they will become ineligible to receive DPF covered information.

Edufacts may transfer personal information to our partners and employ individuals or third parties such as subcontractors, to act on our behalf in order to complete the background check.

All subcontracted individuals are contractually obligated to keep the confidentiality and privacy of information collected in accordance with this Privacy Policy. All subcontractors are prohibited from sharing any information collected with other third parties. Edufacts remains liable in accordance with applicable laws if we are found to have willfully violated an individual's rights in case of onward transfers to third parties.

### **Location Of Data Privacy Framework Policy**

**[www.edufacts.com](http://www.edufacts.com) Locate the link: "EU Privacy Policy" and click on the link to find the policy.**