

# **SOFTWARE SPECIALISTS, INC.,**

## **SAFE HARBOR DATA PRIVACY STATEMENT**

### **Introduction**

Software Specialists Incorporated ("Software Specialists") is a professional services firm providing IT consulting and placement services to private and publicly traded businesses. Protecting your privacy is of vital importance to Software Specialists. Software Specialists ("the firm," "we," "us," or "our") adheres to the Safe Harbor Agreements concerning the transfer of personal data from the European Union ("EU") or Switzerland to the United States of America. We follow the Safe Harbor Principles published by the U.S. Department of Commerce ("Principles") with respect to all such data. If there is any conflict between the policies in this statement and the Safe Harbor Principles, the Safe Harbor Principles will govern. This statement outlines our general policy and practices for implementing the Principles, including the types of information we gather, how we use it, and the choices affected individuals have regarding our use of, and their ability to correct, that information.

This statement applies to all personal information we may handle (except as noted below), including on-line, off-line, and manually processed data. For purposes of this statement, "personal information" means information that: is transferred from the EU or Switzerland to the United States; is recorded in any form; is about, or pertains to, a specific individual; and can be linked to that individual.

It does not include information that pertains to a specific individual but from which that individual could not reasonably be identified.

### **Principles Protecting Individuals' Privacy**

#### **Notice and Choice**

To the extent permitted by the Safe Harbor Agreements, we reserve the right to process personal information in the course of providing professional services to our clients without the knowledge of individuals involved. Where we collect personal information directly from individuals in the EU or Switzerland, we inform them about the types of personal information we collect from them, the purposes for which we collect and use it, and the types of non-agent third parties to which we disclose that information. We also inform those individuals about the choices and means, if any, we offer individuals for limiting the use or disclosure of their information.

#### **Disclosures and Transfers**

Software Specialists will not disclose an individual's personal information to third parties, except when one or more of the following conditions is true:

- We have the individual's permission to make the disclosure;

- The disclosure is required by law or professional standards;
- The disclosure is reasonably related to the sale or disposition of all or part of our business;
- The information in question is publicly available;
- The disclosure is reasonably necessary for the establishment or defense of legal claims; or
- The disclosure is to another Software Specialists' entity or to persons or entities providing services on our or the individual's behalf (each a "transferee"), consistent with the purpose for which the information was obtained, if the transferee, with respect to the information in question:
  - is subject to law providing an adequate level of privacy protection;
  - has agreed in writing to provide an adequate level of privacy protection; or subscribes to the Principles.

Permitted transfers of information, either to third parties or within Software Specialists, include the transfer of data from one jurisdiction to another, including transfers to and from the United States of America. Because privacy laws vary from one jurisdiction to another, personal information may be transferred to a jurisdiction where the laws provide less or different protection than the jurisdiction in which the information originated.

### **Data Security**

Software Specialists takes your security seriously and takes reasonable steps to protect your information. To prevent unauthorized access or disclosure, maintain data accuracy, and ensure the appropriate use and confidentiality of information, either for its own purposes or on behalf of our clients, Software Specialists has put in place appropriate physical, electronic, and managerial procedures to safeguard and secure the information we process. However, we cannot guarantee the security of information on or transmitted via the Internet.

### **Data Integrity**

We process personal information only in ways compatible with the purpose for which it was collected or subsequently authorized by the individual. To the extent necessary for such purposes, we take reasonable steps to make sure that personal information is accurate, complete, current, and otherwise reliable with regard to its intended use.

### **Access and Correction**

If an individual becomes aware that information we maintain about that individual is inaccurate, or if an individual would like to update or review his or her information, the individual may contact us using the contact information below. We will take reasonable steps to permit individuals to correct, amend, or delete information that is demonstrated to be inaccurate. The individual will need to provide sufficient identifying information, such as name, address, birth date, and social security number. We may request additional identifying information as a security precaution. In addition, we may limit or deny access to personal

information where providing such access would be unreasonably burdensome or expensive in the circumstances, or as otherwise permitted by the Safe Harbor Agreements. In some circumstances, we may charge a reasonable fee, where warranted, for access to personal information.

### **Enforcement and Dispute Resolution**

Software Specialists utilizes the self-assessment approach to assure its compliance with our privacy statement. Software Specialists periodically verifies that the policy is accurate, comprehensive for the information intended to be covered, prominently displayed, completely implemented, and in conformity with the Principles. We encourage interested persons to raise any concerns with us using the contact information below. We will investigate and attempt to resolve complaints and disputes regarding use and disclosure of personal information in accordance with the principles contained in this policy.

With respect to any complaints relating to this policy that cannot be resolved through our internal processes, we have agreed to participate in the dispute resolution procedures of the panel established by the EU data protection authorities to resolve disputes pursuant to the Safe Harbor Principles, as well as to cooperate and comply with the Federal Data Protection and Information Commissioner of Switzerland. In the event that we or such authorities determine that we did not comply with this policy, we will take appropriate steps to address any adverse effects and to promote future compliance.

Any person who we determine is in violation of our privacy policies will be subject to disciplinary process.

### **Privacy Statement Changes**

This privacy statement may be changed from time to time, consistent with the requirements of the Safe Harbor. We will post any revised policy on this Web site, or a similar Web site that replaces this Web site.

### **Information Subject to Other Policies**

We are committed to following the Principles for all personal information within the scope of the Safe Harbor Agreements. However, certain information is subject to policies of the firm that may differ in some respects from the general policies set forth in this statement.

Information relating to present or former Software Specialists personnel is subject to our policies concerning personnel data privacy, which are available to present Software Specialists personnel on Software Specialists' intranet and former Software Specialists personnel upon request.

Information obtained from or relating to clients or former clients is further subject to the terms of any privacy notice to the client, any engagement letter or letters with the client, and applicable laws and professional standards.

How to Contact Us

Questions, comments or complaints about Software Specialists' Safe Harbor Data Privacy Statement or data collection and processing practices can be e-mailed to [spoliziani@softwarespecialists.com](mailto:spoliziani@softwarespecialists.com), mailed to Scott Poliziani, Software Specialists, Inc., 401 Smith Drive, Suite 200, Cranberry Township, PA 16066. In the event that a complaint is not satisfactorily addressed by Software Specialists within a reasonable time frame, you may contact the Federal Trade Commission at [www.ftc.gov/ftc/complaint.htm](http://www.ftc.gov/ftc/complaint.htm), or via phone at 202-382-4357. To learn more about the Safe Harbor program and to view Software Specialists' certification, please visit <http://www.export.gov/safeharbor/>.

Effective April 4, 2013