

# **CALIFORNIA WORKSITE EMPLOYEE PRIVACY POLICY**

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## **Scope of this Policy**

Workforce Business Services CA, LLC (“**WBS**” or “**Company**” or “**we**”) has developed this Privacy Policy out of respect for the privacy of our California-based worksite employees and their family members, dependents, and beneficiaries. Your employer (“**Worksite Employer**”) has entered into an agreement with the Company under which we provide Professional Employer Organization (“**PEO**”) services to the Worksite Employer. The PEO services provided by the Company typically include payroll processing, workers’ compensation coverage, and other services and/or benefits as may be selected by your Worksite Employer. As a worksite employee, you remain an employee of the Worksite Employer. The Company is not a joint employer with your Worksite Employer, and this Privacy Policy does not create an employment relationship between you and the Company.

This Policy describes the personal information we collect, both online and offline, for what purposes we use and disclose it, how long we retain it, and whether we sell it or share it for cross-context behavioral advertising purposes (*we don’t by the way*). We will collect some information from you, including information about your family members, dependents, and beneficiaries, for various purposes as detailed in this Privacy Policy during the course of the Company providing services to your Worksite Employer.

## **Collection of Personal Information and Sensitive Personal Information**

In the last 12 months, we have collected the following categories of personal information from or about our California-based worksite employees and their family members, dependents, and beneficiaries. For each category of information, we identify below the categories of third parties, service providers, and contractors to whom we have disclosed the information in the last 12 months. The examples provided for each category are not intended to be an exhaustive list or an indication of all specific pieces of information we collect from or about you in each

category, but rather the examples are to provide you a meaningful understanding of the types of information that may be collected within each category.

<b>Category</b>	<b>Personal Identifiers</b>
<b>Examples</b>	Name, alias, social security number or equivalent, date of birth, worksite employee ID number, your employee ID number provided by your Worksite Employer.
<b>Disclosed in Last 12 Months To</b>	<ul style="list-style-type: none"> <li>• Financial institutions</li> <li>• Government agencies</li> <li>• Benefits administrators and vendors, including third party administrators, 401K administrators, workers' compensation and unemployment administrators, and wellness vendors</li> <li>• Insurance carriers, administrators, and brokers</li> <li>• Payroll processors and vendors providing services for purposes of our human resources information system (HRIS)</li> <li>• Your Worksite Employer</li> <li>• IT, cybersecurity, and privacy vendors and consultants</li> <li>• Our affiliates and sister or parent companies</li> </ul>
<b>Retention Period</b>	Name and worksite employee ID number: Permanent. Otherwise, duration of employment with your Worksite Employer plus 6 years.

<b>Category</b>	<b>Contact Information</b>
<b>Examples</b>	Home, postal or mailing address, email address, home phone number, cell phone number.
<b>Disclosed in Last 12 Months To</b>	<ul style="list-style-type: none"> <li>• Financial institutions</li> <li>• Government agencies</li> <li>• Benefits administrators and vendors, including third party administrators, 401K administrators, workers' compensation and unemployment administrators, and wellness vendors</li> <li>• Insurance carriers, administrators, and brokers</li> <li>• Payroll processors and vendors providing services for purposes of our human resources information system (HRIS)</li> <li>• Your Worksite Employer</li> <li>• IT, cybersecurity, and privacy vendors and consultants</li> <li>• Our affiliates and sister or parent companies</li> </ul>
<b>Retention Period</b>	Permanent

<b>Category</b>	<b>Protected Classifications</b>
<b>Examples</b>	Race, ethnicity, national origin, sex, gender, sexual orientation, gender identity, religious or philosophical beliefs, age, physical or mental disability, medical condition, veteran or military status, familial status, language, or union membership.
<b>Disclosed in Last 12 Months To</b>	<ul style="list-style-type: none"> <li>• Government agencies</li> <li>• Benefits administrators and vendors, including third party administrators, 401K administrators, workers' compensation and unemployment administrators, and wellness vendors</li> <li>• Insurance carriers, administrators, and brokers</li> <li>• Payroll processors and vendors providing services for purposes of our human resources information system (HRIS)</li> <li>• Your Worksite Employer</li> <li>• Our affiliates, sister, or parent companies</li> </ul>
<b>Retention Period</b>	Duration of employment with your Worksite Employer plus 6 years

<b>Category</b>	<b>Financial Information</b>
<b>Examples</b>	Bank account number for direct deposit or other financial account information.
<b>Disclosed in Last 12 Months To</b>	<ul style="list-style-type: none"> <li>• Financial institutions</li> <li>• Government agencies</li> </ul>

	<ul style="list-style-type: none"> <li>• Payroll processors and vendors providing services for purposes of our human resources information system (HRIS)</li> <li>• Our affiliates, sister, or parent companies</li> </ul>
<b>Retention Period</b>	Duration of employment with your Worksite Employer plus 6 years

<b>Category</b>	<b>Professional or Employment-Related Information</b>
<b>Examples</b>	Information contained in your personnel file and in other employment documents and records, including information in onboarding records, I-9 forms, tax forms, time and attendance records, non-medical leave of absence records, workplace injury and safety records, performance evaluations, disciplinary records, investigatory records, training records, licensing and certification records, compensation and health benefits records, pension, retirement and 401(k) records, COBRA notifications, business expense records, and payroll records.
<b>Disclosed in Last 12 Months To</b>	<ul style="list-style-type: none"> <li>• Financial institutions</li> <li>• Government agencies</li> <li>• Benefits administrators and vendors, including third party administrators, 401K administrators, workers' compensation and unemployment administrators, and wellness vendors</li> <li>• Insurance carriers, administrators, and brokers</li> <li>• Payroll processors and vendors providing services for purposes of our human resources information system (HRIS)</li> <li>• Your Worksite Employer</li> <li>• Our affiliates, sister, or parent companies</li> </ul>
<b>Retention Period</b>	Duration of employment with your Worksite Employer plus 6 years, unless related to hazardous exposure records required by OSHA to be retained for at least 30 years. We retain permanently a record of your name, last position held, and dates of worksite employment

<b>Category</b>	<b>Family &amp; Emergency Contact Information</b>
<b>Examples</b>	Contact information for family members listed as emergency contacts and contact information for dependents and other dependent information.
<b>Disclosed in Last 12 Months To</b>	<ul style="list-style-type: none"> <li>• Government agencies</li> <li>• Benefits administrators and vendors, including third party administrators, 401K administrators, workers' compensation and unemployment administrators, and wellness vendors</li> <li>• Insurance carriers, administrators, and brokers</li> <li>• Payroll processors and vendors providing services for purposes of our human resources information system (HRIS)</li> <li>• Your Worksite Employer</li> <li>• Our affiliates, sister, or parent companies</li> </ul>
<b>Retention Period</b>	Duration of employment with your Worksite Employer plus 6 years

<b>Category</b>	<b>Medical and Health Information</b>
<b>Examples</b>	Medical information contained in such documents as workers' comp. and injury records, doctor's reports of work restrictions, medical leave of absence records, requests for accommodation, interactive process records, ergonomic assessment and accommodation records, and correspondence with you and your medical or mental health provider(s) regarding workers' comp. claims or injuries and any request for accommodation or medical leave of absence, as well as information in post-accident drug test results received from our workers' comp. insurance carrier. This includes medical information and health benefits information for dependents and beneficiaries.
<b>Disclosed in Last 12 Months To</b>	<ul style="list-style-type: none"> <li>• Government agencies</li> <li>• Benefits administrators and vendors, including third party administrators, 401K administrators, workers' compensation and unemployment administrators, and wellness vendors</li> <li>• Insurance carriers, administrators, and brokers</li> <li>• Payroll processors and vendors providing services for purposes of our human resources information system (HRIS)</li> </ul>

	<ul style="list-style-type: none"> <li>• Your Worksite Employer</li> <li>• Our affiliates, sister, or parent companies</li> </ul>
<b>Retention Period</b>	Duration of employment with your Worksite Employer plus 6 years, unless related to hazardous exposure records required by OSHA to be retained for at least 30 years

**Of the above categories of Personal Information, the following are categories of Sensitive Personal Information we may collect from or about worksite employees:**

1. Personal Identifiers (social security number)
2. Protected Classifications (racial or ethnic origin, religious or philosophical beliefs, union membership, or sexual orientation)
3. Medical and Health Information

Personal information *does not* include:

- Publicly available information from government records.
- Information that a business has a reasonable basis to believe is lawfully made available to the general public by the worksite employee or from widely distributed media.
- Information made available by a person to whom the worksite employee has disclosed the information if the worksite employee has not restricted the information to a specific audience.
- De-identified or aggregated information.

**We may collect your personal information from the following sources:**

- You, the worksite employee, when you voluntarily submit information
- Your Worksite Employer
- Company systems, networks, software applications, and databases you log into or use in the course of performing your job, including from vendors the Company engages to manage or host such systems, networks, applications or databases
- Government agencies
- Insurance carriers, administrators, and brokers
- HR support vendors, including administrators of benefits, leaves of absence, workers’ compensation, unemployment claims, payroll, and expense management
- Other worksite employees, contractors, vendors, and customers based on your interactions with them

**We may disclose your personal information to the following categories of service providers, contractors, or third parties:**

- Your Worksite Employer
- Financial institutions
- Government agencies
- Benefits administrators and vendors, including third party administrators, 401K administrators, workers’ compensation and unemployment administrators, insurance brokers, and wellness vendors
- Insurance carriers, administrators, and brokers
- Payroll processors and vendors providing services for purposes of our human resources information system (HRIS)
- IT, cybersecurity, and privacy vendors and consultants

## **We may collect and disclose your personal information for any of the following business purposes:**

1. To fulfill or meet the purpose for which you provided the information. For example, if you share your name and contact information to become a worksite employee, we will use that Personal Information in connection with your employment with your Worksite Employer or your relationship with us.
2. To assist the Company's customer (the Worksite Employer) to comply with local, state, and federal law and regulations requiring maintenance of certain records (such as wage and hour records, payroll records, accident or safety records, and tax records).
3. To comply with local, state, and federal law and regulations that apply to the Company.
4. To manage and process payroll.
5. To validate a worksite employee's identity for payroll purposes.
6. To maintain commercial insurance policies and coverages, including for workers' compensation and other liability insurance.
7. To manage workers' compensation claims.
8. To administer, manage, and maintain group health insurance benefits, 401K and/or retirement plans, and other Company benefits and perks.
9. To communicate with worksite employees regarding employment-related administrative matters such as upcoming benefits enrollment deadlines, action items, availability of W2s, and other alerts and notifications.
10. To implement, monitor, and manage electronic security measures on Company networks, software applications or systems, as well as on worksite employee devices that are used to access Company networks, software applications or systems.
11. To engage in corporate transactions requiring review or disclosure of worksite employee records subject to non-disclosure agreements, such as for evaluating potential mergers and acquisitions of the Company.
12. To assist in communications with an employee's family or other contacts in case of emergency or other necessary circumstance.
13. To evaluate, assess, and manage the Company's business relationship with vendors, service providers, and contractors that provide services to the Company.
14. To detect security incidents involving potentially unauthorized access to and/or disclosure of Personal Information or other confidential information, including proprietary or trade secret information and third-party information that the Company receives under conditions of confidentiality or subject to privacy rights.
15. To protect against malicious or illegal activity and prosecute those responsible.
16. To prevent identity theft.
17. To verify and respond to consumer requests under applicable consumer privacy laws.

**WBS does NOT and will not sell your personal information in exchange for monetary or other valuable consideration. We do not share your personal information for cross-context behavioral advertising.**

**WBS does NOT and will not use or disclose your sensitive personal information for purposes other than the following:**

1. To perform the services reasonably expected by an average worksite employee who onboards with us.
2. To detect security incidents that compromise the availability, authenticity, integrity, and confidentiality of stored or transmitted personal information.
3. To resist malicious, deceptive, fraudulent, or illegal actions directed at the business and to prosecute those responsible for those actions.

4. To ensure the physical safety of natural persons.
5. For short-term, transient use.
6. To perform services on behalf of the Company.
7. To verify or maintain the quality of our services to your Worksite Employer, and to improve, upgrade, or enhance our services.
8. For purposes that do not involve inferring characteristics about you.

## **Retention of Personal Information**

We will retain each category of personal information in accordance with our established data retention schedule as indicated above. Some of the retention periods in the retention schedule above are measured from a particular point in time that has not occurred yet, such as the end of worksite employment or end of a relationship (whether business, contractual, or transactional) plus a certain number of years. Where no particular event is defined in the retention schedule as the point from which the retention period is measured, we will measure the retention period from either (1) the date the record or data was collected, created, or last modified, (2) the date of the particular transaction to which the record or data pertains, or (3) another triggering event that is determined to be reasonable and appropriate based on the nature of the data and the legal/business needs for its continued use.

In deciding how long to retain each category of personal information that we collect, we consider many criteria, including, but not limited to: the business purposes for which the Personal Information was collected; relevant federal, state and local recordkeeping laws; applicable statute of limitations for claims to which the information may be relevant; and legal preservation of evidence obligations.

We apply our data retention procedures on an annual basis to determine if the business purposes for collecting the personal information, and legal reasons for retaining the personal information, have both expired. If so, we will purge the information in a secure manner.

## **Third-Party Vendors**

WBS may use other companies and individuals to perform certain functions on our behalf. Examples include administering e-mail and payroll services. Such parties only have access to the personal information needed to perform these functions and may not use or store the information for any other purpose.

## **Business Transfers**

In the event we sell or transfer a particular portion of our business assets, worksite employee information may be one of the business assets transferred as part of the transaction. If substantially all of our assets are acquired, employee information may be transferred as part of the acquisition.

## **Compliance With Law and Safety**

We may disclose specific personal and/or sensitive personal information based on a good faith belief that such disclosure is necessary to comply with or conform to the law or that such disclosure is necessary to protect worksite employees or the public.

## **Worksite Employees and Their Family Members, Dependents, and Beneficiaries Under the Age of 16**

We do **not** knowingly sell or share the personal information of worksite employees under 16 years of age or any worksite employee's family members, dependents or beneficiaries who are under 16 years of age.

## How We Protect the Information That We Collect

The protection of the information that we collect about worksite employees is of the utmost importance to us and we take every reasonable measure to ensure that protection, including:

- We use commercially reasonable tools and techniques to protect against unauthorized access to our systems.
- We restrict access to private information to those who need such access in the course of their duties for us.

## Rights Under the CCPA and CPRA

This section of the Privacy Policy applies only to California residents. If you are a California resident, you have the following rights pursuant to the California Consumer Privacy Act (CCPA) as amended by the California Privacy Rights Act (CPRA):

1. Right to Know. The right to request, up to 2 times in a 12-month period, that we identify to you (1) the categories of personal information we have collected, shared or sold about you, (2) the categories of sources from which the personal information was collected, (3) the business purpose for which we use this information, and (4) the categories of third parties with whom we disclose or have disclosed your personal information;
2. Right to Access. The right to request, up to 2 times in a 12-month period, that we provide you access to or disclose to you the specific pieces of personal information we have collected about you;
3. Right to Delete. The right to request, up to 2 times in a 12-month period, that we delete personal information that we have collected from you, subject to certain exceptions;
4. Right to Correct. The right to request that we correct inaccurate personal information (to the extent such an inaccuracy exists) that we maintain about you;
5. The right to designate an authorized agent to submit one of the above requests on your behalf. See below for how you can designate an authorized agent; and
6. The right to not be discriminated or retaliated against for exercising any of the above rights.

### **You Can Submit Any of the Above Types of Requests by Any of the Options Below:**

1. Submit a request by email to [wbs.ccpa@gowbs.com](mailto:wbs.ccpa@gowbs.com).
2. Call our privacy toll-free line at 1-800-514-7084.

### **How We Will Verify That it is Really You Submitting the Request:**

If you are a California resident, when you submit a Right to Know, Right to Access, Right to Delete, or Right to Correct request through one of the methods provided above, we will ask you to provide some information in order to verify your identity and respond to your request. Specifically, we will ask you to verify information that can be used to link your identity to particular information in our possession, which depends on the nature of your relationship and interaction with us.

## **Responding to your Right to Know, Right to Access, Right to Delete, and Right to Correct Requests**

Upon receiving a verifiable request from a California resident, we will confirm receipt of the request no later than 10 business days after receiving it. We endeavor to respond to a verifiable request within forty-five (45) calendar days of its receipt. If we require more time (up to an additional 45 calendar days, or 90 calendar days total from the date we receive your request), we will inform you of the reason and extension period in writing. We will deliver our written response by mail or electronically, at your option. The response we provide will also explain the reasons we cannot comply with a request, if applicable.

We do not charge a fee to process or respond to your verifiable request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

For a request to correct inaccurate personal information, we will accept, review, and consider any documentation that you provide, and we may require that you provide documentation to rebut our own documentation that the personal information is accurate. You should make a good-faith effort to provide us with all necessarily information at the time that you make the request to correct. We may deny a request to correct if we have a good-faith, reasonable, and documented belief that a request to correct is fraudulent or abusive. If we deny your request to correct, we shall inform you of our decision not to comply and provide an explanation as to why we cannot comply with a request, if applicable.

### **If You Have an Authorized Agent:**

If you are a California resident, you can authorize someone else as an authorized agent who can submit a request on your behalf. To do so, you must either (a) execute a valid, verifiable, and notarized power of attorney, or (b) provide other written, signed authorization that we can then verify. When we receive a request submitted on your behalf by an authorized agent who does not have a power of attorney, that person will be asked to provide written proof that they have your permission to act on your behalf. We will also contact you and ask you for information to verify your own identity directly and not through your authorized agent. We may deny a request from an authorized agent if the agent does not provide your signed permission demonstrating that they have been authorized by you to act on your behalf.

## **Consent to Terms and Conditions**

By onboarding as a worksite employee of a Worksite Employer that has contracted with WBS, you consent to all terms and conditions expressed in this Privacy Policy.

## **Changes to Our Privacy Policy**

As our services evolve and we perceive the need or desirability of using personal information collected in other ways, we may from time to time amend this Privacy Policy. We encourage you to check [www.gowbs.com](http://www.gowbs.com) frequently to see the current Privacy Policy in effect and any changes that may have been made to them. If we make material changes to this Privacy Policy, we will post the revised policy and the revised effective date on [www.gowbs.com](http://www.gowbs.com). Please check back here periodically or contact us at the address listed at the end of this Policy.

## **Individuals With Disabilities**

This Policy is in a form that is or will be made accessible to individuals with disabilities.



## Questions About the Policy

If you have any questions about this Privacy Policy, please contact us at [wbs.legal@gowbs.com](mailto:wbs.legal@gowbs.com) or call toll free to 866-293-3600 (x520).

***\*\*This Policy was last updated June 2024.***