



("diligohr" or "we", "us", "our", etc.)
GENERAL PRIVACY POLICY

DiligoHR is committed to maintaining the privacy of individuals and protecting personal information in its custody or control in accordance with privacy legislation applicable to diligoHR. This Policy is intended to comply with the requirements of Alberta's Personal Information Protection Act ("PIPA"). However, in certain circumstances, other legislation may be applicable.

Application

This Policy describes and summarizes the practices of diligoHR with respect to our collection, use and/or disclosure of personal information related to all individuals other than employees and individual contractors of diligoHR; those individuals are subject to a separate policy. Employees of diligoHR dealing with personal information are expected to be familiar with this Policy.

Definitions

In this Policy, the following terms have the meanings below:

- **Personal information** means information about an identifiable individual, which does not include information of an aggregate or anonymous nature where a specific individual or individuals cannot be identified. Personal Information also does not include **business contact information**, as long as business contact information is used to contact an individual in their capacity as an employee or official of an organization, and for no other purpose. Information about a corporation, firm, trust, union or other non-individual entity is not personal information.
- **Business contact information** means an individual's name and position or title as an official or employee of an organization, as well as their business telephone number, business address, business e-mail, business fax number and other business contact information.

Privacy and our Website

We do not collect any personal information from individuals who simply visit our website. However, individuals should be aware that most web servers do collect some information about visitors, such as the browser and version being used, the operating system, and the "IP" or internet address of the visitor, which may identify the individual's Internet Service Provider or computer but not necessarily the individual using it.

diligohr's website server also use cookies, which are small text files containing information sent to the computer of a visitor to our website. Cookies are used to help our web server track such things as user preferences that the user may submit in order to make the website more interactive with the user and more responsive to their preferences. Information stored in cookies is used to pre-populate form fields and to remember user preference. This is done for user convenience as well as to provide us with information on which parts of our website are being viewed and by how many visitors. The tracking process is anonymous and no personal information is used.

E-mail

If you voluntarily submit personal information to us by e-mail for purposes of obtaining information, we will consider that you have done so with your consent for purposes reasonably related to your providing the

information. If reasonable to do so, after our initial response, we may send further information to you with information that may be useful, but we will include instructions on how to terminate receiving such further information. Please be advised that the Internet and e-mail are inherently insecure media, and we cannot take responsibility for the security or privacy of personal information in transit over the Internet.

Third Party Websites

Please note that our website may contain links to other websites which are provided as a convenience for visitors to our website only. Any third party websites will have their own privacy policies and practices, and we cannot be responsible for such third parties, their websites, or their privacy practices.

Sources of Personal Information

diligoHR generally collects, uses and discloses personal information about the following types of individuals:

- Customers, employees of and contractors to customers;
- Prospective or potential customers or their employees;
- Subscribers to diligoHR newsletters, white papers or similar types of information;
- Employees and independent contractors (where such contractors are individuals) of diligoHR for the purposes of establishing, managing and terminating employment and contractor relationships;
- Other individuals who may voluntarily choose to provide diligoHR with personal information.
- Shareholders and investors in diligoHR; and,
- Directors of diligoHR.

Notification and consent

Subject to this Policy and applicable legislation, diligoHR will identify the purposes for collection, use and disclosure in advance of collection, and will notify the individual of the purposes for collection, use or disclosure at or before the time of collection.

There are a number of exceptions to the above provisions in that in some circumstances, such as with certain personal information related to employees, diligoHR does not require consent to collect, use or disclose personal information but is required to provide notification in advance.

In other circumstances, specifically those set out in applicable legislation, the law does not require that diligoHR obtain consent or provide notification. diligoHR reserves all its rights to rely on any available statutory exemptions and exceptions.

Exceptions to the requirement for consent

diligoHR may collect personal information without consent in circumstances that include but are not limited to the following:

- Where a reasonable person would consider that the collection of the information is clearly in the interests of the individual and consent of the individual cannot be obtained in a timely way or the individual would not reasonably be expected to withhold consent;
- Where the collection of the information is pursuant to a statute or regulation of either Alberta or Canada that authorizes or requires the collection;
- Where the collection of the information is from a public body and that public body is authorized or required by an enactment of Alberta or Canada to disclose the personal information to diligoHR;
- Where the collection of the information is reasonable for the purposes of an investigation or a legal proceeding;
- Where the information is publicly available;

- Where the collection of the information is necessary in order to collect a debt owed to diligoHR or for diligoHR to repay to an individual money owed by diligoHR.

In addition to the above, the law generally provides that an individual is deemed to consent to the collection, use or disclosure of personal information about that individual for a particular purpose if the individual voluntarily provides the information for that purpose, and it is reasonable that a person would voluntarily provide that information. If an individual provides personal information to us voluntarily, we will rely on deemed consent and consider that the individual consents to our collection, use or disclosure of their personal information as necessary to carry out the purposes for which they provided the information.

Where a new purpose for the use or disclosure of personal information previously collected arises, diligoHR will contact the individual in question to obtain any required consent or to provide any required notification for use and/or disclosure for such new purpose or purposes.

Where practical, diligoHR will try to collect personal information directly from the individual. Where necessary, diligoHR will collect personal information from other sources. When diligoHR collects personal information about individuals directly from them, except when their consent to the collection is deemed or has otherwise been previously and lawfully obtained, or is not required, we will tell them the purpose for which the information is collected, and, if reasonable to do so, the name of a person who can answer questions about the collection.

Why we collect, use and disclose personal information

diligoHR generally collects, uses and discloses personal information for the following purposes:

- Customers, employees of and contractors to customers: To establish, maintain, manage and terminate a relationship with a customer.
- Prospective or potential customers or their employees: To attempt to establish a relationship with a customer.
- Subscribers to diligoHR newsletters, white papers or similar types of information: To provide services, information or documentation and to solicit business.
- Suppliers (including non-individual contractors to diligoHR), employees of and contractors to suppliers: To establish, maintain, manage and terminate a supplier relationship.
- Individuals who may voluntarily choose to provide diligoHR with personal information: To fulfill the purposes for which such information was provided.
- diligoHR employees and individual contractors: To recruit, establish, maintain, manage and terminate an employment or individual contractor relationship. For further information, diligoHR's Employee Privacy Policy should be consulted.
- Shareholders and investors: To manage our relationship with and our obligations to investors and shareholders. diligoHR is required by applicable laws and regulatory authorities to collect, as well as use and disclose certain information with respect to its shareholders.
- Directors and officers: To manage our relationship with and our obligations to directors and officers. diligoHR is required by applicable laws and regulatory authorities to collect, as well as to use and disclose, certain information with respect to its directors and officers.
- Other individuals: Personal information from other individuals may be collected, used or disclosed when such individuals contact diligoHR for a variety of reasons personal to them. For example, if an individual contacts us with an inquiry, we will use the information provided to assist us in responding to that individual and communicating with them. Generally, such information is used to contact or reply to individuals who have contacted us where such contact or reply is reasonable in the circumstances, or is subject to deemed consent, or is legally required.
- Telephone Conversations: Please refer to the more comprehensive section on telephone conversations in this Policy.

- To fulfill our legal obligations.

Use of Personal Information

As with collection, there are exceptions to the requirement of consent with respect to use. For example, diligoHR may use personal information without consent in circumstances that include but are not limited to the following:

- Where a reasonable person would consider that the use of the information is clearly in the interests of the individual and consent of the individual cannot be obtained in a timely way or the individual would not reasonably be expected to withhold consent;
- Where the use of the information is pursuant to a statute or regulation of Alberta or Canada that authorizes or requires the use;
- Where the information in question was collected from a public body and that public body is authorized or required by an enactment of Alberta or Canada to disclose the personal information to diligoHR;
- Where the use of the information is reasonable for the purposes of an investigation or a legal proceeding;
- Where the information is publicly available;
- Where the collection of the information is necessary in order to collect a debt owed to diligoHR or for diligoHR to repay to the individual money owed by DiligoHR;
- In certain circumstances, where the information may be disclosed without consent, it may also be used without consent.

diligoHR will in all cases use personal information as permitted or required by applicable law.

Disclosure of personal information

It is the general policy of diligoHR to not disclose personal information in its custody or control except with the consent of the individual and then only for identified purposes. However, individuals should be aware that there are exceptions to the above.

Alberta law permits us to collect, use or disclose personal information about an individual in some circumstances without the individual's consent and/or knowledge. Such circumstances include (but are not limited) to where:

- the collection, use or disclosure is clearly in the interests of the individual and consent cannot be obtained in a timely way;
- collection, use, or disclosure is reasonable for the purposes of an investigation or proceeding;
- the personal information is available to the public from a prescribed source; or
- the collection, use, or disclosure is required or authorized by a statute or regulation of Alberta or Canada.

diligoHR will in all cases disclose personal information as required or permitted by applicable law.

diligoHR does not disclose, trade or sell its customer or contact lists.

Computer Interaction

There are occasions where diligoHR representatives may remotely access a computer of a diligoHR customer in order to provide services, including technical support or product support. Such access may include an exchange of information of a conversational nature and, while not intended to do so, such access may result in the collection of personal information incidental to our providing services. In all cases where a computer becomes subject to access by diligoHR, such access will be with the customer's knowledge and consent.

Alberta law allows us, for legal or business purposes, to retain personal information for as long as is reasonable. Upon expiry of an appropriate retention period, bearing in mind reasonable legal and business requirements, personal information will either be destroyed in a secure manner or made anonymous.

Should consent to our collection, use, disclosure or retention of personal information be revoked by the individual in question, the law also allows us to continue to retain the information for as long as is reasonable for legal or business purposes. In the event that revocation of consent may have consequences to the individual concerned, we will advise the individual of the consequences of revoking their consent where it is reasonable in the circumstances to do so.

When we collect, use or disclose personal information, we will make reasonable efforts to ensure that it is accurate, up to date, and complete.

Security

We recognize our legal obligations to protect the personal information we have gathered about individuals. We have therefore made arrangements to secure against unauthorized access, collection, use, disclosure, copying, modification, disposal or destruction of personal information. These arrangements may include physical security measures, network security measures, and organizational measures such as non-disclosure agreements and need-to-know access.

Requests for Access

Alberta law permits individuals to submit written requests to us to provide them with:

- access to their personal information under the custody or control of diligoHR;
- information about the purposes for which their personal information under the custody or control of DiligoHR has been and is being used; and
- the names of organizations or persons to whom and the circumstances in which personal information has been and is being disclosed by diligoHR.

Requests for access are subject to the following:

- Any requests must be in writing.
- We do not accept such requests or respond to such requests via e-mail.
- In order to receive a response to such a request, the individual must provide us with sufficient information to locate their record, if any, and to respond to them.
- We will respond to requests in the time allowed by Alberta law, which is generally 45 days. In certain circumstances, we may have a right to extend this period of time and will advise in writing if we are doing so.
- We will make a reasonable effort to assist applicants and to respond as accurately and completely as reasonably possible.
- All requests may be subject to any fees and disbursements the law permits us to charge.
- Where appropriate to do so, we may require advance payment of a deposit or the entire costs of responding to a request for access to personal information.

Please note that an individual's ability to access his or her personal information under our control is not an absolute right. Alberta law provides that diligoHR must not disclose personal information where:

- the disclosure could reasonably be expected to threaten the safety or physical or mental health of an individual other than the individual who made the request;
- the disclosure would reveal personal information about another individual; or
- the disclosure would reveal the identity of an individual who has in confidence provided us with an opinion about another individual and the individual providing the opinion does not consent to the disclosure of his or her identity.

Alberta law also provides that diligoHR may choose not to disclose personal information where:

- the personal information is protected by any legal privilege;

- the disclosure of the information would reveal confidential commercial information and it is not unreasonable to withhold that information;
 - the personal information was collected by diligoHR for an investigation or legal proceeding;
 - the disclosure of the personal information might result in similar information no longer being provided to us when it is reasonable that it would be provided;
 - the personal information was collected or created by a mediator or arbitrator in the conduct of a mediation or arbitration for which he or she was appointed to act
 - under an agreement,
 - under an enactment, or
 - by a court; or
 - the personal information relates to and may be used in the exercise of prosecutorial discretion.
- diligoHR reserves all its rights under the above.

Responses to Requests

Our responses to requests for access to personal information will be in writing, and will confirm:

- whether we are providing all or part of the requested information,
- whether or not we are allowing access or providing copies, and,
- if access is being provided, when and how that will be given.

If access to information or copies are refused by us, we will provide written reasons for such refusal and the section of PIPA (the Personal Information Protection Act, Alberta) on which that refusal is based. We will also provide the name of an individual at diligoHR who can answer questions about the refusal, and particulars of how the requesting individual can ask the Information and Privacy Commissioner of Alberta to review our decision. In order to receive a response to such a request, the individual must provide us with sufficient information to locate their record, if any, and to respond to them.

Requests for Correction

Alberta law permits individuals to submit written requests to us to correct errors or omissions in their personal information that is in our custody or control. If an individual alleges errors or omissions in the personal information in our custody or control, we will either:

- correct the personal information and, if reasonable to do so, and if not contrary to law, send correction notifications to any other organizations to whom we disclosed the incorrect information; or
- decide not to correct the personal information but annotate the personal information that a correction was requested but not made.

Corrections or amendments will not be made to opinions as opposed to factual information, although we reserve the right to modify opinions where changes in the facts on which those opinions are based occur.

Amendment

DiligoHR may amend this Policy from time to time as required and without notice, in order to better meet our obligations under the law.

Contacting diligoHR

If you have any questions with respect to our policies concerning the collection, use, disclosure or handling of your personal information, or if you wish to request access to, or correction of, your personal information under our care and control, or if you are dissatisfied with how we handle your personal information, please contact our Privacy Contact, Jason Wingert, at:

jason@diligoHR.com OR 403-879-2729.

If you remain dissatisfied after our Privacy Contact has reviewed and responded to your concern, or have other concerns or questions, you have the right at any time to contact the Office of the Information and Privacy Commissioner at:

410, 9925 - 109 Street

Edmonton, AB T5K 2J8

Telephone (780) 422-6860 or Fax (780) 422-5682