

EU-US Data Privacy Framework Policy

This EU-US Data Privacy Framework Policy (“**Policy**”) describes how Berkeley Research Group, LLC, its subsidiaries and affiliates in the United States (“**US**”), its subsidiary in the United Kingdom, Berkeley Research Group (“**UK**”) Ltd and its subsidiary in the EU, Berkeley Research Group Belgium SRL. (“**BRG**,” “**we**,” or “**us**”) collect, use, and disclose certain Personal Information that we receive in the US from the European Union and United Kingdom (“**EU/UK Personal Data**”). This Policy supplements our Privacy Statement and Website Privacy Notice (www.thinkbrg.com/policies) and, unless specifically defined in this Policy, the terms in this Policy have the same meaning as the Privacy Statement.

BRG, including its subsidiaries and affiliates in the US, complies with the EU-U.S. Data Privacy Framework (“**EU-U.S. DPF**”) and the UK Extension to the EU-U.S. DPF as set forth by the U.S. Department of Commerce (collectively, the “**DPF**”). BRG 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 Information 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. If there is any conflict between the terms in this Policy and the EU-U.S. DPF Principles, the Principles shall govern.

The Federal Trade Commission has jurisdiction over BRG’s compliance with the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF. To learn more about the Data Privacy Framework program, and to view our certification, please visit <https://www.dataprivacyframework.gov/>.

EU/UK PERSONAL DATA COLLECTION AND USE

BRG commits to subject all EU/UK Personal Data received in reliance on the DPF to the DPF Principles. Our Privacy Statement and Website Privacy Notice (www.thinkbrg.com/policies) describe the categories of EU/UK Personal Data that we may receive in the US, the purposes for which we collect and use that EU/UK Personal Data, and the types or third parties to whom we may disclose EU/UK Personal Data and our purposes for doing so.

DATA TRANSFERS TO THIRD PARTIES

Third-Party Agents or Service Providers. As a participating organization to the DPF principles, BRG is responsible for the processing of EU/UK Personal Data it receives under the DPF Principles and subsequently transfers to a third party acting as an agent or sub processor on its behalf. BRG shall remain liable under the DPF Principles if its agent processes EU/UK Personal Data in a manner inconsistent with the DPF Principles, unless the organization proves that it is not responsible for the event giving rise to the damage.

Disclosures for National Security or Law Enforcement. Under certain circumstances, we may be required to disclose your EU/UK Personal Data in response to valid requests by public authorities, including to meet national security or law enforcement requirements.

RIGHTS AND CHOICES

Under certain circumstances and in compliance with the DPF Principles, you may have the right to access the EU/UK Personal Data that we hold about you and to request that we correct, amend, or delete it if it is inaccurate or processed in violation of the DPF, subject to certain exceptions.

Under certain circumstances and in compliance with the DPF Principles, you may have the right to opt out of certain processing of EU/UK Personal Data. The Choice Principle requires that individuals be given the opportunity to opt out of: (1) processing of personal data for purposes materially different than the original purpose for collection or subsequent authorization from the individual; and (2) disclosures to third parties (other than processors/agents).

If you would like to exercise any of the above rights, you can submit a written request to privacy@thinkbrg.com. We may request specific information from you to confirm your identity. In some circumstances, we may charge a reasonable fee for access to your information.

QUESTIONS OR COMPLAINTS

In compliance with the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF, BRG commits to resolve DPF Principles-related complaints about our collection and use of EU/UK Personal Data. EU and UK individuals with inquiries or complaints regarding our handling of EU/UK Personal Data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF should first contact BRG at: privacy@thinkbrg.com. We will investigate and attempt to resolve DPF Principles-related complaints or disputes within 45 days of receiving your complaint.

Non-Human Resources EU/UK Personal Data. In compliance with the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF, BRG commits to refer unresolved complaints concerning our handling of EU/UK Personal Data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF to Judicial Arbitration and Mediation Services, Inc. (“**JAMS**”), an alternative dispute resolution provider based in the United States. If you do not receive timely acknowledgment of your DPF Principles-related complaint from us, or if we have not addressed your DPF Principles-related complaint to your satisfaction, please visit www.jamsadr.com/eu-us-data-privacy-framework for more information or to file a complaint. The services of JAMS are provided at no cost to you.

Human Resources EU/UK Personal Data. In compliance with the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF, BRG commits to cooperate and comply {respectively} with the advice of the panel established by the EU data protection authorities (“**DPAs**”) and the UK Information Commissioner’s Office (“**ICO**”) and the Gibraltar Regulatory Authority (“**GRA**”) with regard to unresolved complaints concerning our handling of human resources data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF in the context of the employment relationship.

BINDING ARBITRATION

You may have the option to select binding arbitration for the resolution of your complaint under certain circumstances, provided you have taken the following steps: (1) raised your complaint directly with BRG and provided us the opportunity to resolve the issue; (2) made use of the independent dispute resolution mechanism identified above; and (3) raised the issue through the relevant data protection authority and allowed the US Department of Commerce an opportunity to resolve the complaint at no cost to you. For more information on binding arbitration, see the US Department of Commerce’s *EU-US Data Privacy Framework: Annex I (Binding Arbitration)* at www.dataprivacyframework.gov/s/article/ANNEX-I-introduction-dpf.

CONTACT US

If you have questions about this Policy, please contact us at privacy@thinkbrg.com.

