

PreTrax, Inc. Privacy Statement

Last Updated: August 2023

This privacy statement describes how PreTrax Inc. (“PreTrax”) collects, uses and shares personal data about individuals in the United States. PreTrax performs background checks for its clients which are expressly authorized by the consumer.

Consumer Reporting Activity. PreTrax performs background checks which may be regulated by the Fair Credit Reporting Act (FCRA) and other applicable state and federal law.

Employment Data

PreTrax collects personal data from you and its clients, solely for the purpose of performing a background check that you have authorized. The collection, use and sharing of personal data for background checks is regulated by state and federal law, including the FCRA. PreTrax restricts the use of personal data collected for background checks to those purposes identified in this Privacy Statement.

California Residents

Please note that this Privacy Statement also contains a section devoted to the rights of California residents under the California Consumer Privacy Act of 2018 (“CCPA”) and subsequent amendments.

Personal Data Collected

PreTrax collects the following general categories of personal data, solely for PreTrax to perform a background check which has been expressly authorized by the consumer:

Name and contact information. First, middle, and last name, postal or personal mailing address, email address and phone number.

Identifiers. Government-issued identifiers, such as a social security number and/or driver's license number. Other state-issued identification numbers may be used if a consumer does not have either a social security number or driver's license number.

Demographic information. Date of birth.

Professional or employment-related information. Information regarding your employment status and employment history.

Education information. Information regarding your education history, including degrees earned.

Public records information. Information about you lawfully made available by federal, state and local governments, including information about legal proceedings in court records.

Sources of Personal Data

PreTrax collects personal data from the following sources:

Directly from you. PreTrax collects personal data from you, solely for PreTrax to perform the background check that you have expressly authorized.

Consumer credit reports. In limited circumstances PreTrax may be asked to collect personal data from a consumer credit reporting company.

Public records. We collect personal data which is sourced from public records made available by federal, state, and local governments. This may include information on tax assessments, secretary of state filings and court findings.

How We Use Personal Data

Business Purposes

We may use or disclose the personal data that we collect for one or more of the following Business Purposes:

- To fulfill or meet the reason for which the information is provided, which is solely to perform a background check.
- To carry out PreTrax's obligations and enforce its rights arising from any contract entered into between a consumer and PreTrax.
- For authentication purpose, when you access our products or services and to help you recover forgotten passwords.

Sharing Personal Data

We sometimes share personal data with third parties, including service providers, to carry out the above Business Purposes. PreTrax may also share personal data with third parties to whom you consent to us disclosing your personal data. PreTrax contracts with third parties and restricts their use of personal data so that it may only be used in connection with the background check authorized by the consumer. This purpose is specified in the contract with the third party and requires that the third party maintain securely and confidentially, all personal data.

PreTrax also shares personal data for the following reasons:

Disclosure required by law or legal process. PreTrax may release personal data to third parties if required to do so under applicable law or legal process, such as search warrants, subpoenas or court orders.

Changes in our corporate structure. If all or part of our company is sold or merged, if we make a sale or transfer of assets, or in the unlikely event of a bankruptcy, subject to the other provisions of this Privacy Statement, we may transfer your information, including your personal data, to one or more third parties as part of that transaction.

Commercial Purposes

PreTrax does not sell personal data to third parties for any purpose.

Choices and Control Over Your Information

In general, choices concerning our collection, use and disclosure of information are limited to those provided by law. As a reminder, we only provide background checks which are expressly authorized by the consumer. For details of choices under the Federal Fair Credit Reporting Act, please see the [FCRA Summary of Rights](#).

Security

PreTrax is committed to protecting the security of your personal data and uses a variety of security technologies and procedures to help protect your personal data from unauthorized access, use, or disclosure. However, no data transmission or storage can be guaranteed to be 100% secure. As a result, while we strive to protect the personal data we maintain, we cannot ensure or warrant the security of any information that you transmit to us. PreTrax complies with applicable data protection laws, including security breach notification laws.

California Residents Privacy Statement and Notice at Collection

As required by the CCPA, the section below supplements the information contained in our Privacy Statement and applies solely to visitors, users and others who reside in the State of California. Any terms defined in the CCPA have the same meaning when used in the below section.

Categories of Personal Information Collected

PreTrax collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer (“personal information”). In particular, PreTrax has collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Sources	Collected
Identifiers	Including but not limited to: * Name, alias, postal address * Social Security number * Driver’s license number	*Directly from you *Business customers *Contractors *Public records	YES
Personal information categories listed in	Some personal information included in this category may overlap with other		

the California Customer Records statute (Cal. Civ. Code 1798.80(e))	categories. Including but not limited to: * Name, address phone number * Social Security number * Driver's license number * Education * Employment and employment history	*Directly from you *Business customers *Contractors *Public records	YES
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Some personal information included in this category may overlap with other categories.

Protected classification characteristics under California or federal Law	*Age	*Directly from you *Business customers *Contractors *Public records	YES
Professional or Employment-related data	Including but not limited to: *Current or past job history, including Employment dates, employer name and employer information	*Directly from you *Business customers *Contractors *Public records	YES
Non-public education Information (per the Family Education Rights Privacy Act (20 USC 1232g 34 CFR Part 99))	Including but not limited to: * Education records, including dates of attendance	*Directly from you *Business customers *Contractors	YES

Purpose and Use of Personal Information Collected

PreTrax may use or disclose the personal information that it collects for one or more of the following business purposes:

- To fulfill or meet the reason for which the information is provided. Which is solely to complete the background check that you have expressly authorized.
- To carry out our obligation and enforce our rights arising from any contracts, including for billing and collections.
- To detect a security incident, protect against malicious, deceptive, fraudulent or illegal activity and prosecuting those responsible for that activity.
- Disclosure for legal reasons or as necessary to protect PreTrax.
- Changes in our corporate structure.

Sharing your Personal Information

In the preceding 12 months, PreTrax has disclosed the following categories of information to business process outsourcing providers for the business purposes described above:

- Identifiers.
- Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).
- Protected classification characteristics under California or federal law.
- Professional or employment-related data.
- Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).

Selling Your Personal Information

In the preceding 12 months, PreTrax has not sold any categories of personal information. PreTrax does not sell any personal information.

Rights of California Residents

California residents have the right to submit the following requests to PreTrax.

Access

You have a right to make a verifiable request to PreTrax to provide you with the following information, covering the 12 months preceding the date your request is submitted.

- The categories and specific pieces of personal information collected about you.
- The categories of sources of the personal information collected about you.
- The business or commercial purposes for collecting your personal information; we do not sell your personal information.
- The categories of third parties to whom we disclosed your personal information for a business purpose.

Deletion

You have the right to make a verifiable request to PreTrax to delete the personal information collected about you, subject to certain exceptions. Once we receive and confirm your verifiable request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider to:

- Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.

- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.).
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Opt-Out

PreTrax does not sell your personal information and as such, there is no opt-out option.

Submit a Verifiable Request

To submit a verifiable request, please email PreTrax at orders@pretrax.com or call our customer service team at 800.281.5260 during regular business hours of 8:00 – 5:00 Eastern Time.

Right to be Free from Discrimination

PreTrax is prohibited from discriminating against in any way in response to your exercise of any of these rights. This means we will not:

- Deny you goods or services.
- Charge different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.
- Offer a product enhancement or financial incentive that is contingent on you sharing personal information, unless that incentive is reasonably related to the value provided to us by that collection.

To ensure personal information security and prevent fraudulent requests, we may need to collect personal information and other information such as your name, email, or transaction history to verify your identity. Any authorized agents making requests on your behalf need to provide similar information for verification.

Changes to this Privacy Statement

PreTrax may change its online privacy statement in the future. If we make changes to this privacy statement, we will post the revised privacy statement and its effective date on this website.

EU-U.S. Data Privacy Framework and Swiss-U.S. Data Privacy Framework

PreTrax, Inc. complies with the EU-U.S. Data Privacy Framework (EU-U.S. DPF) and the Swiss-U.S. Data Privacy Framework (Swiss-U.S. DPF) as set forth by the U.S. Department of Commerce. PreTrax, Inc. 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. PreTrax, Inc. has certified to the U.S. Department of Commerce that it adheres to the Swiss-U.S. Data Privacy Framework 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/>

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

It is possible for consumers, under certain conditions, to invoke binding arbitration (Note: PreTrax, Inc. is obligated to arbitrate claims and follow the terms as set forth in Annex I of the DPF Principles, provided that an individual has invoked binding arbitration by delivering notice to PreTrax, Inc. and following the procedures and subject to conditions set forth in Annex I of Principles.)

PreTrax, Inc. is liable in cases of onward transfers to third parties.

PreTrax, Inc. has committed to refer unresolved Privacy Shield complaints to BBB EU PRIVACY SHIELD, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please visit <https://bbbprograms.org/privacy-shield-complaints/> for more information or to file a complaint. This service of BBB EU PRIVACY SHIELD are provided at no cost to you.

Contact Us

If you have questions or comments about this privacy statement, please visit our Contact Form at <https://www.pretrax.com/contact> or write to the Chief Executive Officer, PreTrax Inc., 10 Center Street, Chagrin Falls, OH 44022. Please reference "PreTrax Privacy Statement," when contacting us about this privacy statement.