

PRIVACY

policy

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1. Background

All companies mandated by Elite Employer to certify an organization are for-profit corporate entities under provincial law, processing personal information as part of their operations. This policy aims to ensure the protection of personal information and to regulate the manner in which *all companies mandated by Elite Employer to certify an organization* collect, use, disclose, retain, destroy, or otherwise manage it. Furthermore, it aims to inform all interested parties about how these companies handle their personal information. It also covers the handling of personal information collected by these companies through technological means.

2. Application and Definitions

This policy applies to *all companies mandated by Elite Employer to certify an organization*, including its directors, employees, consultants, volunteers, and anyone else providing services. It also applies to these companies' websites and all other websites controlled and maintained by them. It addresses all types of personal information managed by *all companies mandated by Elite Employer to certify an organization*, whether it relates to its clients, potential or current, its consultants, its employees, its members, or any other individuals (such as visitors to its websites or otherwise).

For the purposes of this policy, personal information is information about an individual that allows for their identification, either directly or indirectly. For example, it could include a person's name, address, email address, phone number, gender, or banking information, as well as information about their health, ethnic origin, language, etc.

Sensitive personal information is information towards which there is a high degree of reasonable expectation of privacy, e.g., health information, banking details, biometric data, sexual orientation, ethnic origin, political opinions, religious or philosophical beliefs, etc.

Generally, a person's business or professional contact information is not considered personal information, for example, the name, title, address, email address, or telephone number at work of an individual. More specifically, and for clarity, under the Act respecting the

protection of personal information in the private sector of Quebec, and effective September 22, 2023, sections 3 (collection, use, communication), 4 (retention and destruction), and 6 (data security) do not apply to information relating to a person's role within a company, such as their name, title, position, and the address, email address, and telephone number of their workplace.

These paragraphs also do not apply to personal information that is public by law, effective upon the adoption of this policy.

3. Collection, Use, and Disclosure

In the course of their activities, *all companies mandated by Elite Employer to certify an organization* may collect different types of information for various purposes. The types of information these companies may collect, their use (or intended purpose), and the means by which the information is collected are indicated in Appendix A of this policy.

All companies mandated by Elite Employer to certify an organization will also inform the individuals concerned, at the time of collecting personal information, of any other information collected, the purposes for which it is collected, and the means of collection, in addition to other information to be provided as required by law.

All companies mandated by Elite Employer to certify an organization adhere to the following general principles concerning the collection, use, and disclosure of personal information:

Consent:

Generally, *all companies mandated by Elite Employer to certify an organization* collect personal information directly from the individual concerned and with their consent, except where an exception is provided by law. Consent may be obtained implicitly in certain situations, for example, when the individual decides to provide their personal information after being informed by this policy about the use and disclosure for the purposes indicated therein (see Appendix A for more details).

Normally, *all companies mandated by Elite Employer to certify an organization* must also obtain the consent of the individual concerned before collecting their personal information from third parties, before disclosing it to third parties, or for any secondary use of that information. However, these companies may act without consent in certain cases provided by law and under the conditions set by it. The main situations where these companies may act without consent are indicated in the relevant sections of this policy.

Collection:

In all cases, *all companies mandated by Elite Employer to certify an organization* only collect information if there is a valid reason to do so. Moreover, collection will be limited only to the necessary information needed to fulfill the intended purpose.

Please note that the services and programs of *all companies mandated by Elite Employer to certify an organization* do not target minors, and generally, they do not intentionally collect personal information about minors (in these cases, information cannot be collected from them without the consent of a parent or guardian).

Collection from third parties. *All companies mandated by Elite Employer to certify an organization* may collect personal information from third parties. Unless an exception provided by law applies, these companies will seek the consent of the individual concerned before collecting personal information about them from a third party. In cases where such information is not collected directly from the individual, but from another organization, the individual concerned may request the source of the information collected from *all companies mandated by Elite Employer to certify an organization*.

In some situations, *all companies mandated by Elite Employer to certify an organization* may also collect personal information from third parties, without the consent of the individual concerned, if they have a serious and legitimate interest in doing so and a) if the collection is in the interest of the individual and it is not possible to do so from them in a timely manner, or b) if the collection is necessary to ensure the accuracy of the information.

Also, *all companies mandated by Elite Employer to certify an organization* may collect personal information indirectly by using a third party.

This collection through third parties may be necessary to access certain services or programs, or to otherwise do business with *all companies mandated by Elite Employer to certify an organization*. When required, they will obtain the consent of the individual at an appropriate time.

Retention and Use:

All companies mandated by Elite Employer to certify an organization ensure that the information they hold is up-to-date and accurate at the time of its use to make a decision concerning the individual involved.

All companies mandated by Elite Employer to certify an organization may only use an individual's personal information for the reasons stated herein or for any other reasons provided at the time of collection. As soon as they want to use this information for another reason or purpose, new consent must be obtained from the individual concerned, which must be obtained explicitly if it involves sensitive personal information. However, in certain cases provided by law, these organizations may use the information for secondary purposes without the individual's consent, e.g.:

When this use is clearly to the benefit of this individual;

When it is necessary to prevent or detect fraud;

When it is necessary to assess or improve protection and security measures.

Limited Access. *All companies mandated by Elite Employer to certify an organization* must implement measures to limit access to personal information only to employees and individuals within their organization who have the quality to know about it and for whom this information is necessary in the performance of their duties. These organizations will seek the consent of the individual before granting access to any other person.

Communication:

Generally, and unless an exception indicated in this policy or otherwise provided by law applies, *all companies mandated by Elite Employer to certify an organization* will obtain the consent of the individual concerned before communicating their personal information to a third party. Moreover, when consent is necessary and when it involves sensitive personal information, *all companies mandated by Elite Employer to certify an organization* must obtain the explicit consent of the individual before communicating the information.

However, the communication of personal information to third parties is sometimes necessary. Thus, personal information may be communicated to third parties without the consent of the individual concerned in certain cases, including, but not limited to, the following cases:

All companies mandated by Elite Employer to certify an organization may communicate personal information, without the consent of the individual concerned, to a public body (such as the government) that, through one of its representatives, collects it in the exercise of its powers or the implementation of a program it manages.

Personal information may be transmitted to its service providers to whom it is necessary to communicate the information, and this, without the consent of the individual. For example, these service providers may be event organizers, subcontractors of *all companies mandated by Elite Employer to certify an organization* designated for the execution of mandates in the programs administered by these organizations, and cloud service providers. In these cases, *all companies mandated by Elite Employer to certify an organization* must have written contracts with these providers that indicate the measures they must take to ensure the confidentiality of the personal information communicated, that the use of this information is made only in the execution of the contract, and that they cannot retain this information after its expiration. Moreover, these contracts must provide that the providers must notify the data protection officer of *all companies mandated by Elite Employer to certify an organization* (indicated in this policy) of any breach or attempt to breach the confidentiality obligations

concerning the personal information communicated and must allow this officer to conduct any audit related to this confidentiality.

If it is necessary for the completion of a commercial transaction, *all companies mandated by Elite Employer to certify an organization* may also communicate personal information, without the consent of the individual concerned, to the other party of the transaction and subject to the conditions provided by law.

Communication Outside Quebec: It is possible that the personal information held by *all companies mandated by Elite Employer to certify an organization* may be communicated outside Quebec, for example, when these companies use cloud service providers whose servers are located outside Quebec or when they do business with subcontractors located outside the province.

Additional Information on the Technologies Used:

Use of Connection Cookies

Connection cookies are data files transmitted to the visitor's computer of a website by its web browser when visiting this site and can have several uses.

The websites controlled by *all companies mandated by Elite Employer to certify an organization* use connection cookies, notably:

To remember the settings and preferences of visitors, for example, for the choice of language and to allow the tracking of the current session.

For statistical purposes to know the behavior of visitors, the content viewed, and to allow the improvement of the website.

The websites controlled by *all companies mandated by Elite Employer to certify an organization* use the following types of cookies:

Session cookies: These are temporary cookies that are kept in memory for the duration of the website visit only.

Persistent cookies: They are kept on the computer until they expire, and they will be retrieved during the next visit to the site.

Some connection cookies may be disabled by default, and visitors may choose to activate these functions or not when visiting the websites of *all companies mandated by Elite Employer to certify an organization*.

It is also possible to activate and deactivate the use of connection cookies by changing the preferences in the settings of the browser used.

Use of Google Analytics

The employeurelite.com site uses Google Analytics to enable its continuous improvement. Google Analytics notably analyzes how a visitor interacts with a website of *all companies mandated by Elite Employer to certify an organization*. Google Analytics uses connection cookies to generate statistical reports on the behavior of visitors to these websites and the content viewed.

The personal information collected by the technologies listed in our cookie policy (link to the cookie policy) will never be shared by employeurelite.com with third parties.

4. Retention and Destruction of Personal Information

Unless a minimum retention period is required by law or applicable regulation, *all companies mandated by Elite Employer to certify an organization* will retain personal information only for the duration necessary to achieve the purposes for which it was collected.

Personal information used by *all companies mandated by Elite Employer to certify an organization* to make a decision concerning an individual must be retained for a period of at least one year following the decision in question or even seven years after the end of the

fiscal year in which the decision was made if it has tax implications, for example, the circumstances of a termination of employment.

At the end of the retention period or when the personal information is no longer needed, *all companies mandated by Elite Employer to certify an organization* will ensure:

To destroy it; or

To anonymize it (i.e., it no longer allows, irreversibly, to identify the individual and it is no longer possible to establish a link between the individual and the personal information) for use for serious and legitimate purposes.

The destruction of information by *all companies mandated by Elite Employer to certify an organization* must be done securely, to ensure the protection of this information.

This section may be supplemented by any policy or procedure adopted by *all companies mandated by Elite Employer to certify an organization* concerning the retention and destruction of personal information, as appropriate. Please contact the data protection officer at info@employeurelite.com to learn more.

5. Responsibilities of *All Companies Mandated by Elite Employer to Certify an Organization*

In general, these companies are responsible for the protection of the personal information they hold.

The data protection officer of *all companies mandated by Elite Employer to certify an organization* is the director or managing director of the organization or of the franchise concerned. He or she must, in general, ensure compliance with the applicable legislation concerning the protection of personal information. The officer must approve the policies and practices governing the management of personal information. More specifically, this person

is in charge of implementing this policy and ensuring that it is known, understood, and applied. In case of absence or inability to act of this officer, the presidents of *all companies mandated by Elite Employer to certify an organization* will ensure the functions of the data protection officer.

The staff members of *all companies mandated by Elite Employer to certify an organization* having access to personal information or otherwise involved in the management of this information must ensure their protection and comply with this policy.

The roles and responsibilities of the employees of *all companies mandated by Elite Employer to certify an organization* throughout the lifecycle of personal information may be specified by any other policy of these companies in this regard, as appropriate.

6. Data Security

All companies mandated by Elite Employer to certify an organization are committed to implementing reasonable security measures to ensure the protection of the personal information they manage. The security measures in place correspond, among other things, to the purpose, quantity, distribution, medium, and sensitivity of the information. Thus, this means that information that may be classified as sensitive (see the definition provided in section 2) must be subject to more important security measures and must be better protected. Notably, and in accordance with what has been mentioned previously concerning limited access to personal information, *all companies mandated by Elite Employer to certify an organization* must implement necessary measures to impose constraints on the rights to use its information systems so that only employees who need to access them are authorized to do so.

7. Rights of Access, Rectification, and Withdrawal of Consent

To assert their rights of access, rectification, or withdrawal of consent, the individual concerned must submit a written request to this effect to the data protection officer of *all*

companies mandated by Elite Employer to certify an organization, at the email address indicated in the following section.

Subject to certain legal restrictions, individuals concerned may request access to their personal information held by *all companies mandated by Elite Employer to certify an organization* and request their correction in case they are inaccurate, incomplete, or equivocal. They may also require the cessation of the dissemination of personal information concerning them or that any hyperlink attached to their name allowing access to this information by technological means be de-indexed when the dissemination of this information contravenes the law or a judicial order. They can do the same, or require that the hyperlink allowing access to this information be re-indexed, when certain conditions provided by the law are met.

The data protection officer of *all companies mandated by Elite Employer to certify an organization* must respond in writing to these requests within 30 days of the date of receipt of the request. Any refusal must be justified and accompanied by the legal provision justifying the refusal. In these cases, the response must indicate the remedies under the law and the time limit for exercising them. The officer must assist the requester in understanding the refusal if necessary.

Subject to legal and contractual restrictions applicable, individuals concerned may withdraw their consent to the communication or use of the collected information.

They may also ask *all companies mandated by Elite Employer to certify an organization* what personal information was collected about them, the categories of individuals in these companies who have access to it, and their duration of retention.

8. Complaint Processing Procedure

Reception

Any individual who wishes to file a complaint concerning the application of this policy or, more generally, the protection of their personal information by *all companies mandated by Elite Employer to certify an organization*, must do so in writing by addressing it to the data protection officer of these companies, at the email address indicated in the following section.

The individual must indicate their name, contact details to reach them, including a phone number, as well as the subject and reasons for their complaint, providing sufficient details so that it can be assessed by *all companies mandated by Elite Employer to certify an organization*. If the complaint filed is not sufficiently precise, the data protection officer may require any additional information deemed necessary to be able to assess the complaint.

Treatment

All companies mandated by Elite Employer to certify an organization are committed to treating any received complaint confidentially.

Within 30 days following the receipt of the complaint or following the receipt of all additional information deemed necessary and required by the data protection officer of *all companies mandated by Elite Employer to certify an organization* to be able to process it, this officer must assess it and formulate a reasoned written response by email to the complainant. This assessment will aim to determine whether the handling of personal information by these companies complies with this policy, any other policy and practice in place within the organization, and the applicable legislation or regulation.

In cases where the complaint cannot be processed within this timeframe, the complainant must be informed of the reasons justifying the extension of the deadline, the progress of the treatment of their complaint, and the reasonable time necessary to be able to provide them with a definitive response.

All companies mandated by Elite Employer to certify an organization must establish a separate file for each of the complaints addressed to them. Each file contains the complaint, the analysis and supporting documentation of its assessment, as well as the response sent to the person who originated the complaint.

It is also possible to file a complaint with the Commission d'accès à l'information du Québec or any other personal information protection oversight body responsible for enforcing the law concerned by the subject of the complaint.

However, *all companies mandated by Elite Employer to certify an organization* invite any interested person to first address their data protection officer and to wait for the end of the processing by these companies.

9. Approval

This policy is approved by the data protection officers of *all companies mandated by Elite Employer to certify an organization*, whose business contact details are as follows:

Data Protection Officers:

Étienne Claessens

info@employeurelite.com

For any request, question, or comment concerning this policy, please contact the officer by email.

10. Version History

This document will be reviewed regularly and updated according to legislative, technological, and organizational developments.

Version History

Date Version Amendments Made Responsible Status

Mai 9, 2024 1.0 Document creation by Étienne Claessens

Appendix A

Here is a non-exhaustive list of the types of information that *all companies mandated by Elite Employer to certify an organization* may collect, their use, or intended purpose, as well as the means by which the information is collected. Thus, it includes, but is not limited to, the following elements.

Please note that most of the personal information managed by *all companies mandated by Elite Employer to certify an organization* is personal information of employees, job candidates, and consultants. For other categories of individuals indicated in the table below, the information provided is, in most cases, of a professional or business nature (see section 2 on professional contact information). Note that in most cases, *all companies mandated by Elite Employer to certify an organization* also collect the professional title/position of individuals, the name of the organization, and/or the address of the organization (see section 2 on professional contact information).

Relationship with <i>all companies mandated by Elite Employer to certify an organization, services, program, etc.</i>	Type of Personal Information	Purpose of Collection / Uses	Method of Collecting Information (Means)
Clients	Clients Banking information (when necessary)	Preauthorized bank payments	Through preauthorization forms completed by the client By email (directly or via a document or other type of form attached)
Employees	Name Phone number Email Banking information Social insurance number Date of birth Adress	Managing communications with the candidate or employee Ensuring the operation of the payroll system	By mail By phone In person
Consultants	Name Phone number Courriel Adresse	Managing communications with the candidate or employee Billing	By mail