

# A Train Staffing Privacy Policy for California Employees

Thank you for viewing A Train Staffing’s Privacy Policy. The pages that follow provide notice about the types of personal information we collect, how we use it, who we share it with and why, and what we do to try to protect it. We are also providing a description of your data privacy rights under applicable law and the methods for exercising these rights. We encourage you to read this policy carefully and reach out to us if you have any questions. Our Notice at Collection <http://www.atrainstaffing.com/wp-content/uploads/2023/01/notice-at-collection-english.pdf> also summarizes information about the types of personal information we collect.

This Privacy Policy is adopted to comply with the California Consumer Privacy Act of 2018 (CCPA) and the California Privacy Rights Act of 2020 (CPRA). Terms defined in the CCPA and CPRA have the same meaning when used in this Policy.

## **I. Information We Collect**

A Train Staffing LLC (“A Train Staffing”, “We” or Us”) collects information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device (“personal information”). Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated information.
- Information excluded from the CCPA’s scope, like:
  - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA), clinical trial data, or other qualifying research data;
  - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver’s Privacy Protection Act of 1994.

In particular, we have collected the following categories of personal information from consumers within the last twelve (12) months:

<b>Category</b>	<b>Examples</b>	<b>Collected</b>
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers.	YES

B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	<p>A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.</p> <p>Some personal information included in this category may overlap with other categories.</p>	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status.	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	NO
E. Biometric information.	Physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints (to clock in or clock out), faceprints, and voiceprints, iris or retina scans, keystroke, or other physical patterns, and certain health data.	YES
F. Internet or other similar network activity.	Basic browsing history, search history, information on a interaction with a website, application, or advertisement (e.g., information collected via “cookies”).	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic or similar information.	YES
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per	Education records indicating completion of certain degrees.	YES

the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).		
K. Inferences drawn from other personal information.	Profile reflecting a person’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you. When you send us emails, complete online forms or when you apply online and create an account with us, we obtain personal information directly from you. When you register for events, conferences or programs that we host (rather than outsource to a third party event manager with its own privacy policies), we also obtain your personal information, which sometimes includes a credit card or other financial information.
- Indirectly from you. We may also observe your actions on our Website via third-party analytics providers or through social media and community features and through these observations, obtain personal information. Some of our online and mobile resources may offer social media-like community features, which allow users to post or upload messages, comments, and/or images or other files and materials.

## **II. Use of Personal Information**

We may use or disclose the personal information we collect for one or more of the following purposes:

- Comply with applicable laws and regulations.
- Recruit and evaluate job applicants and candidates for employment.
- Conduct background checks.
- Manage your employment relationship with us, including for: onboarding processes; timekeeping, payroll, and expense report administration; employee benefits administration; employee training and development requirements.
- The creation, maintenance, and security of your online employee accounts.

- Reaching your emergency contacts when needed, such as when you are not reachable or are injured or ill.
- Workers' compensation claims management.
- Employee job performance, including goals and performance reviews, promotions, discipline, and termination.
- Other human resources purposes.
- Manage and monitor employee access to company facilities, equipment, and systems.
- Conduct internal audits and workplace investigations, including investigating and enforcing compliance with and potential breaches of A Train Staffing policies and procedures.
- Engage in corporate transactions requiring review of employee records, such as for evaluating potential mergers and acquisitions of the company, or a divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets where personal information held by us about our employees is among the assets transferred.
- Maintain commercial insurance policies and coverages, including for workers' compensation and other liability insurance.
- Perform workforce analytics, data analytics, and benchmarking.
- Administer and maintain A Train Staffing's operations, including for safety purposes.
- For client marketing purposes.
- Exercise or defend the legal rights of A Train Staffing and its employees and affiliates, customers, contractors, and agents or to respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to purchase one of our products (*e.g.*, an item with the A Train Staffing logo), we will use that personal information to process your payment and facilitate delivery and potentially keep a record of your purchase history. We may also save your information to facilitate new product orders or process returns.
- To provide you with support and to respond to your inquiries, including to investigate and address any concerns and monitor and improve our responses.

- To personalize your Website experience and to deliver content and service offerings relevant to your interests, including targeted offers and ads through our Website, third-party sites, and via email or text message (with your consent, where required by law).
- As described to you when collecting your personal information or as otherwise set forth in the CCPA or CPRA.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

### III. Sharing Personal Information

We may share your personal information by disclosing it to a third party for a business purpose. We only make these business purpose disclosures under written contracts that describe the purposes, require the recipient to keep the personal information confidential, and prohibit using the disclosed information for any purpose except performing the contract. In the preceding twelve (12) months, A Train Staffing has disclosed personal information for a business purpose to the categories of third parties indicated in the chart below.

We may collect the personal information and sensitive personal information categories listed in the tables below. In the preceding twelve (12) months, we have not sold and will not sell the personal information or sensitive personal information we collect. Also in the preceding twelve (12) months, we have not shared and will not share it with third-parties for cross-context behavioral advertising. The tables also list, for each category, our use purposes.

Personal Information Category	Business Purpose
Identifiers (e.g., your full name, gender, date of birth, signature)	To identify employees for clients. For internal business operational reasons (e.g., HR/payroll services, front and back office solutions) or for service providers or contractors' operational purposes (e.g., when they need it to perform under contracts). For safety purposes or company ID badges to verify names and faces. To create or maintain employee accounts.
California Customer Records personal information	To identify employees for clients. For internal business operational reasons (e.g., HR/payroll services, front and back office solutions) or for service providers or contractors' operational purposes (e.g., when they need it to perform under contracts). For safety purposes or company ID badges to verify names and faces. To create or maintain employee accounts.

Protected classification characteristics under California or federal law	For internal business operational reasons (e.g., HR/payroll services, front and back office solutions) or for service providers or contractors' operational purposes (e.g., when they need it to perform under contracts).
Commercial information	Not collected.
Biometric information	For time-keeping system to identify people for payroll and pay accuracy.
Internet or other similar network activity	To monitor work product performed online.
Geolocation data	For payroll and IT purposes.
Sensory data	Not collected.
Professional or employment-related information	To recruit, evaluate and place job applicants and candidates in employment.
Non-public education information	For purposes of evaluating academic and professional qualifications to assess job candidacy.
Inferences drawn from other personal information	For purposes of a pre-employment assessment and survey of personality characteristics.

In addition, the following categories of sensitive personal information are collected for the business purposes identified. This information is not collected or processed by us with the purpose of inferring characteristics about an individual.

<b>Sensitive Personal Information Category</b>	<b>Business Purpose</b>
Government identifiers (e.g., social security, driver's license, state identification card, or passport number)	Used to pay employees or as an additional identification method.
Complete account access credentials (e.g., user names, account numbers, or card numbers combined with required access/security code or password)	For internal business operational reasons (e.g., HR/payroll services, front and back office solutions) or for our IT team to assist internally with certain electronic access by employees.
Precise geolocation	Not actively tracked unless for purposes of monitoring safety or other similar purpose.

Racial or ethnic origin	To assess and promote diversity objectives or otherwise comply with applicable laws or in response to specific requests.
Religious or philosophical beliefs	Not collected.
Union membership	If mentioned on an application, for job history only.
Genetic data	Not collected.
Mail, email, or text messages contents not directed to us	To collect info on HR situations or by request of a court.
Unique identifying biometric information	Fingerprints are stored in a time keeping system.
Health, sex life, or sexual orientation information	Health data is noted only for workers compensation claims, OSHA reporting or other matter related to employment in our organization.

***Deidentified Patient Information***

We do not sell or disclose deidentified patient information exempt from the CCPA to third parties.

**IV. Your Rights and Choices**

Under applicable laws, California residents have specific rights regarding their personal information. This section describes such rights and explains how to exercise those rights.

***Right to Know and Data Portability***

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months (the “right to know”). Once we receive your request and confirm your identity (see [Exercising Your Rights to Know or Delete](#)), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- If we disclosed your personal information for business purposes, a list of disclosures for those purposes, identifying the personal information categories that each category of recipient obtained.

- The specific pieces of personal information we collected about you (also called a data portability request).

### ***Right to Delete***

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions (the “right to delete”). Once we receive your request and confirm your identity (see [Exercising Your Rights to Know or Delete](#)), we will review your request to see if an exception allowing us to retain the information applies. We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. 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, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
4. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).
5. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
6. Comply with a legal obligation.
7. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We will delete or deidentify personal information not subject to one of these exceptions from our records and will direct our service providers to take similar action.

### ***Right to Correct***

You have the right to request that we correct inaccurate personal information, accounting for the nature of the personal information and the purposes of the processing of the personal information. Once we receive a verifiable consumer request to correct inaccurate personal information, we will use commercially reasonable efforts to correct the inaccurate personal information as directed by you. If we have shared this personal data with third-parties, we will notify them about the rectification unless it is impossible or involves disproportionate effort. You may request details of the third-parties that we have disclosed the inaccurate personal data to. If we think it is reasonable for us not to comply with your request, we will explain our reasons for this decision.

### ***Exercising Your Rights to Know, Correct or Delete***



To exercise your rights to know, correct or delete described above, please submit a request by either:

- Calling us at 877-527-2668
- Emailing us at [privacy@atrainstaffing.com](mailto:privacy@atrainstaffing.com)
- Submitting an online request via our website at:

<https://www.atrainstaffing.com/privacy-inquiry-form/>

Only you, or someone legally authorized to act on your behalf, may make a request to know or delete related to your personal information. To designate an authorized agent, please notify us by contacting us as indicated above.

You may only submit a request to know twice within a 12-month period. Your request to know, correct or delete must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative, which may include:
  - Verifying your name, date of birth, portal information, if applicable, or other reasonably reliable method.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

You do not need to create an account with us to submit a request to know or delete. However, we do consider requests made through your password protected account (if you have one) as sufficiently verified when the request relates to personal information associated with that specific account.

We will only use personal information provided in the request to verify the requestor's identity or authority to make it.

For instructions on exercising your sale opt-out or opt-in rights, see [Personal Information Sales Opt-Out and Opt-In Rights](#).

### ***Response Timing and Format***

We will confirm receipt of your request within ten (10) business days. If you do not receive confirmation within the 10-day timeframe, please contact us by emailing or calling us.

We endeavor to substantively respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to another 45 days), 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.

Any disclosures we provide will only cover the 12-month period preceding our receipt of your request. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance, specifically via email.

We do not charge a fee to process or respond to your verifiable consumer 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.

### ***Personal Information Sales Opt-Out***

We do not sell the personal information of employees, so there is no need to request an opt-out of sales.

## **V. Non-Discrimination**

We will not discriminate against you, including that we will not retaliate against you as an employee, applicant for employment, or independent contractor, for exercising any of your CCPA rights.

## **VI. Other California Privacy Rights**

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [privacy@atrainstaffing.com](mailto:privacy@atrainstaffing.com) or write us at: A Train Staffing, Attn: Privacy Office, 2121 S. Haven Avenue, Suite 100, Ontario, CA 91761.

## **VII. Changes to Our Privacy Policy**

We reserve the right to amend this privacy policy at our discretion and at any time. When we make changes to this privacy policy, we will post the updated notice on the Website and update the notice's effective date. **Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.**

## **VIII. Contact Information**

If you have any questions or comments about this notice, the ways in which A Train Staffing collects and uses your information described here and in the A Train Staffing **Privacy Policy**, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Phone:** 877-527-2668

**Website:** <https://www.atrainstaffing.com/privacy-inquiry-form/>

**Email:** [privacy@atrainstaffing.com](mailto:privacy@atrainstaffing.com)

**Postal Address:**

A Train Staffing

Attn: Privacy Office

2121 S. Haven Avenue, Suite 100

Ontario, CA 91761

If you need to access this Policy in an alternative format due to having a disability, please contact [privacy@atrainstaffing.com](mailto:privacy@atrainstaffing.com) or call us at (909) 947-3755.