

# PROACTION Privacy Policy relating to the use of the UTrakk\_DMeS Application)

(The « **Privacy Policy** »)

This Proaction Privacy Policy (the "**policy**") applies to the UTrakk Digital management ecoSystem software solution (the "**UTrakk\_DMeS Application**") operated by the Proaction Group entities ("**we**", "**us**", "**Proaction**") and is intended to govern the manner in which Proaction handles personal data with respect to the users of the UTrakk\_DMeS Application (the "**Users**", "**you**") in connection with such use.

Capitalized terms in this policy that are not expressly defined herein have the meaning attributed to them in the Corporate Terms of Use, the Confidentiality and Data Protection Agreement, the User Terms of Use or the UTrakk Community Terms of Use, which are available on the UTrakk DMeS Website at [www.UTrakk.com](http://www.UTrakk.com).

We follow the strict privacy rules set out in the General Data Protection Regulations (GDPR).

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This policy applies to situations where Proaction controls the processing of Personal Data and situations where Proaction acts on behalf of another controller in the processing of Personal Data, most often a user's employer.

For the purposes of this policy, if you reside in the European Union, Proaction's contact information is as follows:

Privacy Officer  
Proaction Europe SAS,  
10 Place Vendôme  
75001 PARIS, France  
[vieprivee@utrakk.com](mailto:vieprivee@utrakk.com)

If you live outside the European Union, Proaction's contact information is as follows:

Privacy Officer  
Proaction Groupe conseil Inc.  
257 Sherbrooke Street East  
Montreal, Quebec H2X 1E3, Canada  
[privacy@utrakk.com](mailto:privacy@utrakk.com)

IF YOU DISAGREE WITH THE PROCESSING OF YOUR PERSONAL DATA IN ACCORDANCE WITH THIS POLICY, PLEASE IMMEDIATELY STOP USING THE UTRAKK\_DMeS APPLICATION.

## Definitions

"**User**" means a natural person who uses the UTrakk\_DMeS Application;

"**Personal Data**" means personal information as defined by applicable legislation in Canada and personal data as defined by applicable legislation in the European Union.

"User Data" means all information that users voluntarily submit to us through the UTrakk\_DMeS Application interface, including but not limited to their Personal Data.

## Personal Data

### Basis for the processing of Personal Data

We must collect and process Personal Data about you in order to enable users to use the UTrakk\_DMeS Application and the services offered through it. The processing is primarily based on the following principles:

- We need to process some Personal Data to be able to provide services to you and to enable you to use the UTrakk\_DMeS Application.
- We process Personal Data as a subcontractor pursuant to instructions received from our customers. In most cases, our client is your employer, which in most cases will be in a better position than we are to answer your questions about your Personal Data processed through the UTrakk\_DMeS Application.
- We may process certain Personal Data because you gave specific consent to the processing. Most of the time, we act as a processor for our clients, who indicate that they have obtained your consent. You may nevertheless contact us to withdraw your consent in certain limited circumstances.
- We process certain Personal Data of our users located in the European Union when it is necessary to meet our legitimate interests and those of our customers, when the processing does not violate the fundamental rights of users.

### Personal data collected

We collect and store all data described below in accordance with this policy.

#### Data collected from the user

We collect information that users voluntarily submit to us, through the UTrakk\_DMeS Application interface (e.g., by filling out a form) or otherwise. This information may include :

Categories of Personal Data	Purpose of use
<ul style="list-style-type: none"><li>▪ Last name, first name</li><li>▪ Title or function</li><li>▪ Employee number</li><li>▪ Email address</li></ul>	<p>This data allows us to identify you and communicate with you about your use of the UTrakk_DMeS Application.</p> <p>If you choose to use your name and/or title when using the UTrakk Community, this information allows you to identify yourself when interacting with the UTrakk Community. You may choose to use a pseudonym on the virtual community to hide your identity from other users of the UTrakk Community. However, all your interactions on the UTrakk Community will remain associated with your user account and accessible by your employer.</p>
The documents or data you upload to the UTrakk_DMeS Application.	This data is associated with you to allow you to use the UTrakk_DMeS Application.
Any information you send us through the UTrakk_DMeS Application, by email or by phone;	This data is associated with you and is used to better understand your use of the UTrakk_DMeS Application and to answer your questions, if any.

Data collected from your employer

We collect information about you from other users of the UTrakk\_DMeS Application or from your employer.

Categories of Personal Data	Purpose of use
Identification information	This data allows us to identify you and communicate with you about your use of the UTrakk_DMeS Application.
Information related to your employee file, tasks and responsibilities.	This data allows your employer to use the UTrakk_DMeS Application for the purposes determined by your employer.  We use this data on an aggregated basis, which does not allow us to identify the individuals concerned, in order to perform analyses on the effectiveness of the UTrakk_DMeS Application.

Automatically collected data

We collect certain information automatically during your use of the UTrakk\_DMeS Application. This information is recorded each time you interact with the UTrakk\_DMeS Application. The data collected includes certain information specific to your computer and data about your interaction with the UTrakk\_DMeS Application, including the following:

Categories of Personal Data	Purpose of use
<ul style="list-style-type: none"> <li>▪ The IP address of your computer;</li> <li>▪ The configuration of your browser and operating system;</li> <li>▪ The configuration of your mobile device, when you access the UTrakk_DMeS Application from a mobile device;</li> <li>▪ The pages visited, the products viewed, the path taken on the UTrakk_DMeS Application;</li> </ul>	<p>This data is collected automatically and is used to customize your experience on the UTrakk_DMeS Application, for example by providing you with an interface in the language of your system, or by highlighting your most frequently used sections.</p> <p>We use this data on an aggregated basis, which does not allow us to identify the concerned individuals, in order to perform analyses to determine how users use the UTrakk_DMeS Application's functionalities and to improve them.</p>
Geographic location and location data;	<p>We collect location data only if you have authorized the UTrakk_DMeS Application to access the location data of your mobile device.</p> <p>We use general location data obtained from your IP address to customize your experience on the UTrakk_DMeS Application.</p> <p>General user location data is analyzed in an aggregated form that does not allow monitoring of any individual user.</p>

Information related to cookies

We use browser cookies and other tracking technologies to improve the performance of the UTrakk\_DMeS Application and your experience. Cookies are small files stored on your storing space by the servers where the UTrakk\_DMeS Application is located that allow us to recognize you when you use the UTrakk\_DMeS Application and to customize the content of the UTrakk\_DMeS Application. Some cookies are automatically deleted when you close your browser (session cookies) and some are stored indefinitely (permanent cookies). If you do not wish to have cookies stored on your computer, you must disable the

storage of cookies from your browser. Certain features of the UTrakk\_DMeS Application may be disabled or modified if cookie storage is disabled.

### **Use of Personal Data**

We use the Personal Data collected for the purposes set forth in the preceding table.

#### Our role as a subcontractor

We process Personal Data in accordance with the instructions of our customers for the purposes they determine. To find out more about our processing of your Personal Data on behalf of your employer, you should contact your employer.

#### Legitimate Interests

We process Personal Data collected through the UTrakk\_DMeS Application to serve our legitimate interests and those of our customers, including collecting statistics, performing analysis and improving the UTrakk\_DMeS Application and preventing fraud by analyzing user behavior.

We take the privacy of our users seriously, which is why, except in response to specific instructions from our customers when we act as a subcontractor, the processing of Personal Data based on legitimate interests never involves targeted surveillance or disclosure of specific Personal Data about an identifiable individual to third parties.

### **Storage of Personal Data**

We retain the Personal Data collected until you or our customer direct us to delete it or until our business no longer requires us to retain it. However, we make no commitment to retain the Personal Data collected for a specific period of time.

The Personal Information collected is stored electronically on our servers located in Canada in the provinces of Quebec and Ontario.

Personal Data associated with the UTrakk Community is stored electronically by our service provider, inSided Inc. on servers located in Ireland.

Personal Data collected about individuals outside of Canada is transferred to Canada. To the best of our knowledge, Canada is recognized as an appropriate jurisdiction for the transfer of Personal Data from the European Union.

The Personal Data collected is subject to security provisions set forth in the Proaction Confidentiality and Data Protection Agreement.

### **Disclosure of Personal Data**

We only share your Personal Data in the manner described in this policy and when we have your consent, which may in some cases be obtained by our customers. Your Personal Data may be disclosed to the categories of recipients and for the purposes set out below.

#### Your Employer

Your employer has access to the Personal Data that is recorded by the UTrakk\_DMeS Application. Personal Data may be shared within your organization as determined by your employer and super-users, if applicable. The UTrakk\_DMeS Application allows you to export data that may include Personal Data over which we have no control.

#### Our officers and employees

The Personal Data collected is only accessible to our officers and employees who need to access the same for the purposes of this policy.

#### Service Providers

We share Personal Data with service providers that enable us to provide our services more efficiently. These suppliers are listed on our Authorized Subcontractors List, available on the UTrakk DMeS Website at [www.UTrakk.com](http://www.UTrakk.com). These suppliers agree in writing to maintain the confidentiality of Personal Data and not to use it for any purpose other than to provide us with services. Personal Data that is under the control of our customers is not communicated to service providers without the customer's consent.

### Virtual Community

If you take part in the UTrakk Community and decide to associate your name and/or organization's name with your profile on the UTrakk Community, this information will be available to community members and associated with the Community Content you post there. You have the option to use a pseudonym on the UTrakk Community, but your employer will still have access to your interactions on the UTrakk Community.

### Legal Obligations

We may also disclose Personal Data collected to third parties where expressly permitted or required by law, or if we are compelled to do so by a competent authority. We may disclose Personal Data in connection with legal proceedings if necessary to protect our rights or those of our users.

### Transfer of Business

In the event that the sale or restructuring of all or part of our business is contemplated, we may disclose Personal Data to the persons or organizations involved before and after the transaction, whether or not the transaction is completed. In such a case, these persons or organizations will commit to preserve the confidentiality of the Personal Data collected and to use the same exclusively in order to evaluate the feasibility of the transaction or in accordance with this policy.

## **Your Rights**

Since most of the time we process your Personal Data on behalf of your employer, in most cases you should contact that employer to exercise your rights.

### **Access your data**

You may have access to some Personal Data you provided us by accessing your account through the UTrakk\_DMeS Application.

You may contact us at [privacy@utrakk.com](mailto:privacy@utrakk.com) or at our mailing address listed at the beginning of this policy to request access to Personal Data we hold about you or to request a modification to your Personal Data that is inaccurate. To modify some Personal Data stored using the UTrakk\_DMeS Application, you will need to contact your employer.

We will respond to your request promptly (no later than 30 days after receipt), allowing you to access your Personal Data in our records where required. Where required by law, we will provide you with your data in a machine-readable portable format.

### **Withdrawal of Consent**

You may withdraw your consent to the collection of certain data.

If you wish to withdraw your consent to the processing of your Personal Data beyond what is permitted by the UTrakk\_DMeS Application or your mobile device, please notify us in writing at [vieprivee@utrakk.com](mailto:vieprivee@utrakk.com). It is not possible to stop all processing of your Personal Data and continue using the UTrakk\_DMeS Application. The only way to stop all processing of your Personal Data by Proaction is to stop using the UTrakk\_DMeS Application.

The processing of Personal Data based on consent obtained by your employer may not be subject to withdrawal of consent. You must contact your employer.

### **Opposition**

In certain circumstances, you have the right to object to the processing of your Personal Data that we carry out to meet legitimate interests. Your rights in this respect depend, among other things, on your place of residence. To oppose to the processing of your Personal Data, you may notify us in writing at [privacy@utrakk.com](mailto:privacy@utrakk.com).

### **Erasure**

You may request the erasure of the Personal Data we hold about you. To make such a request, please notify us in writing at [privacy@utrakk.com](mailto:privacy@utrakk.com). We will respond to your request promptly (no later than 30 days after receipt). To request the erasure of Personal Data that is processed at your employer's request, you should contact the individual who is responsible for the processing of such data for your employer.

If you continue to use the UTrakk\_DMeS Application after Personal Data has been erased, we will resume our collection of Personal Data.

### **Complaint**

If you reside in the European Union, you have the right to file a complaint regarding the processing of your Personal Data with a supervisory authority responsible for the protection of privacy. This authority varies depending on your jurisdiction of residence.

If you reside outside the European Union, this policy is governed by the laws and regulations applicable in Canada and the Canadian authorities are exclusively competent to receive any complaint or claim based on this policy or on the processing of your Personal Data by Proaction.

### **Audits**

We reserve the right to verify the identity of persons requesting to access their Personal Data. Any information collected to carry out this verification will not be used for any other purpose.

### **Policy Change**

We may amend this policy from time to time to reflect changes in our Personal Data management practices. When a change is made, the new policy will be available through the UTrakk\_DMeS Application and on our website at the following address: [www.utrakk.com](http://www.utrakk.com).

We will notify you of any material changes to our Privacy policy by email or through the UTrakk\_DMeS Application before the new policy takes effect. Any notice may be sent to the email address you provided.

### **Additional Information**

For additional information about how we process Personal Data, you may contact us at the contact information provided at the beginning of this policy.