**ARKA GDPR Employee, Job Applicant, Independent Contractor Privacy Notice**

**Effective Date:** August 1, 2024

This privacy notice describes how ARKA Group L.P. and its affiliate companies, including but not limited to AMERGINT Technologies, Inc., Danbury Mission Technologies, LLC, The Stratagem Group, LLC, Lumacron Technology Limited and Tethers Unlimited, Inc. (“ARKA,” “we,” “us” or “our”) collects and processes “personal data” as defined by Regulation (EU) 2016/679 (“GDPR”), any national law of a European Union (“EU”) member state adopted pursuant to the GDPR, and the United Kingdom (“UK”) Data Protection Act of 2018 (collectively, “Data Protection Laws”), our legal basis for processing personal data, and certain rights you may have under Data Protection Laws relating to your personal data and how you may exercise such rights. This privacy notice applies solely to employees, job applicants and independent contractors, who are residents of the EU and UK.

1. **DATA CONTROLLER**

With respect to personal data, the responsible controller is:

ARKA Group, L.P.

100 Wooster Heights Road

Danbury, CT 06810

United States of America

1. **CONTACT DETAILS**

Corporate Communications

ARKA Group, LP

arka.org/contact-us

1. **PROCESSING OF PERSONAL DATA**
   1. **Collection of Personal Data**

The types of personal data we may collect include:

* Name
* Address
* Employee ID number
* IP address
* Email address
* Phone number
* Government identification numbers such as social insurance or other national insurance number, driver's license number, or other identification card number
* Medical information, such as any disabilities
* Health insurance information, including insurance policy number
* Education history
* Employment information, including employment history
* Financial information, including bank account number and other information for payroll purposes
* Date of birth
* Photograph
* Gender
* Marital and dependent status, only when needed to administer benefits such as health insurance benefits
* Beneficiary and emergency contact information
* Information related to your performance
* Citizenship status
* Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding interaction with an internet website or application while on ARKA’s systems or devices.

The types of special categories of personal data we may collect include:

* personal data revealing racial or ethnic origin
* personal data concerning health.

The personal data, including the special categories of personal data, described above are collected directly from you when you apply for employment and during your employment or from other sources such as benefit providers, third parties for reference checks (e.g., past employers), recruitment agencies, background check agencies, timekeeping software, internal or third-party tracking of usage of ARKA email and telephone systems and computer networks, public agencies (e.g., tax authorities) workers’ compensation carriers, law enforcement agencies and litigation.

* 1. **Purposes of Processing**

We process personal data, including the special categories of personal data, listed above, where applicable law permits or requires it, including where the processing is necessary for the performance of our employment / independent contractor contract with you, where the processing is necessary to comply with a legal obligation that applies to us as your employer, for our legitimate interests or the legitimate interests of third parties, to protect your vital interests, or with your consent if Data Protection Laws require consent. We may process your personal data for the following legitimate business purposes and for the purposes of performing the employment / independent contractor contract with you:

|  |
| --- |
| * To evaluate an applicant’s qualifications and suitability for employment |
| * To evaluate an employee’s performance |
| * To administer pre-employment and post-employment tests and training activity |
| * To complete the onboarding process |
| * To conduct criminal and other background checks |
| * To manage the terms and conditions of employment, such as payment of wages/salary, direct deposit authorization, the provision and administration of benefits and leaves of absence and maintenance of emergency contact information |
| * To process work related claims (e.g., insurance claims) |
| * To prepare and maintain legally required records |
| * To provide a safe work environment |
| * To manage employee timekeeping |
| * To maintain information regarding training, disciplinary action, injuries and other employment history |
| * To ensure compliance with company policies and regulatory and legal requirements |
| * To meet tax obligations |
| * To detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, and prosecute those responsible for that activity |
| * To achieve other operational purposes for which the personal information was collected that are compatible with the context in which the personal information was collected and our employment or independent contractor relationship |

* 1. **Disclosures of Personal Data**

We may disclose your personal data:

* **With our Affiliates.** We may share your information with corporate affiliates for our internal business purposes. However, if we do so, their use and disclosure of your personal data will be subject to this privacy notice.
* **With Third-Party Service Providers Performing Services on Our Behalf.** We share information, including personal data, with our service providers to perform the functions for which we engage them. These service providers may include, but are not limited to, payroll processors, compliance hotline, human resources information system provider, benefits administration providers, cyber security firms, background check agencies, and data storage or hosting providers as well as credit card vendors, travel agents and similar service providers who support the performance of employment responsibilities.
* **For Legal Purposes.** We also may share information that we collect as needed to enforce our rights, protect our property or protect the rights, property or safety of others, or as needed to support external auditing, compliance and corporate governance functions. We will disclose personal data as we deem necessary to respond to a subpoena, regulation, binding order of a data protection agency, legal process, governmental request or other legal or regulatory process. We may also share personal data as required to pursue available remedies or limit damages we may sustain.
* **Corporate Changes.** We may transfer information, including your personal data, in connection with a merger, sale, acquisition, reorganization, liquidation, or other change of ownership or control by or of us or any affiliated company (in each case whether in whole or in part).

1. **CROSS-BORDER TRANSFERS**

Where permitted by Data Protection Laws, we may transfer the personal data we collect about you to the United States and other jurisdictions that may not be deemed to provide the same level of data protection as your home country, as necessary to perform our employment / independent contractor contract with you and for the purposes set out in this privacy notice. We will transfer your personal data to the United States through the use of appropriate safeguards as required by Data Protection Laws.

1. **RETENTION**

Except as otherwise permitted or required by Data Protection Laws, we will retain your personal data for as long as necessary to fulfill the purposes we collected it for, as required to satisfy any legal, accounting, or reporting obligations, or as necessary to resolve disputes. To determine the appropriate retention period for personal data, we consider our statutory obligations, the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes we process your personal data for, and whether we can achieve those purposes through other means.

Under some circumstances we may anonymize your personal data so that it can no longer be associated with you. We reserve the right to use such anonymous and de-identified data for any legitimate business purpose without further notice to you or your consent. Once you are no longer an employee or independent contractor of the company, we will retain and securely destroy your personal data in accordance with applicable laws and regulations.

1. **DATA SUBJECT RIGHTS**

Under Data Protection Laws, you have the following privacy rights, which you may exercise by contacting us with “GDPR Request” on the subject line and in the body of your message:

* **Right of Access.** You have the right to obtain confirmation as to whether your personal data is being processed, as well as access to the personal data along with certain information, including the purposes of the processing, the categories of personal data concerned and the recipients or categories of recipients to whom the personal data have been or will be disclosed.
* **Right to Rectification.** You have the right to rectify your inaccurate personal data and to complete any incomplete personal data, including by means of providing a supplementary statement.
* **Right to Erasure or Right to be Forgotten.** You have the right to erase your personal data under certain circumstances.
* **Right to Restrict Processing.** You have the right to restrict our processing of your personal data under certain circumstances.
* **Right to Object.** You have right to object, on grounds relating to your particular situation, at any time to our processing of your personal data, which is based on public interest or our legitimate interests, including the profiling of data. In this case, we will stop processing your data, except for where we have compelling legal grounds for the processing which override your interests, rights and freedoms, or for the exercise or defence of possible legal claims. You also have a right to object to the processing of your personal data for direct marketing purposes.
* **Right to Data Portability.** Under certain circumstances, you have the right to receive your personal data that you provided to us in a structured, commonly used and machine-readable format, and have the right to transmit such data to another controller without hindrance from us.
* **Right to Withdraw Consent.** If you have provided us with your consent for the processing of your personal data, you may withdraw your consent at any time to stop any further processing.
* **Right to Lodge a Complaint.** You have a right to lodge a complaint with a supervisory authority if you believe that our processing of your personal data violates the Data Protection Laws.

1. **DATA SECURITY**

We employ technical and organizational security measures designed to protect the security of your personal data.

1. **EFFECTIVE DATE AND CHANGES TO PRIVACY NOTICE**

The Effective Date of this privacy notice is set forth at the top of this page. We may change this privacy notice from time to time in our discretion. Such changes to the privacy notice may affect the collection, retention and use of personal data. Changes will be posted to this page. We encourage you to return to this page frequently so that you are aware of our current privacy practices. The amended privacy notice supersedes all previous versions.