

BIOMETRIC INFORMATION PRIVACY POLICY

In order to efficiently and securely track employees' time records and employee identity verification, PBD Worldwide, Inc. and its subsidiaries (collectively "PBD") utilize a timekeeping system, which uses hand-scanning technology. These timeclocks convert a scan of the employee's hand ("hand scan") into an encrypted mathematical representation. Only the mathematical representation created from the hand scan performed during enrollment is saved. This technology does not collect and store handprints, nor does it retain hand images. As such, PBD believes the system does not collect, capture or store a biometric identifier or biometric information as those terms are defined in the Illinois Biometric Information Privacy Act, 740 ILCS 14/1, *et seq* ("BIPA"). However, to the extent that it does collect, capture or store a biometric identifier or biometric information, PBD provides a policy and obtains a written release as described in the Act. PBD reserves the right to amend this policy at any time. PBD may expand its use of biometric data in the future. In the event PBD begins collecting biometric data for any additional purpose, PBD will update this policy.

In accordance with BIPA and other state and federal regulations, PBD has instituted the following biometric information privacy policy:

Biometric Data Defined: As used in this policy, biometric data includes "biometric identifiers" and "biometric information" as defined by BIPA. "Biometric identifier" means a retina or iris scan, fingerprint, voiceprint, or scan of hand or face geometry. Biometric identifiers do not include writing samples, written signatures, photographs, human biological samples used for valid scientific testing or screening, demographic data, tattoo descriptions, or physical descriptions such as height, weight, hair color, or eye color. Biometric identifiers do not include donated organs, tissues, or parts as defined in the Illinois Anatomical Gift Act or blood or serum stored on behalf of recipients or potential recipients of living or cadaveric transplants and obtained or stored by a federally designated organ procurement agency. Biometric identifiers do not include biological materials regulated under the Genetic Information Privacy Act. Biometric identifiers do not include information captured from a patient in a health care setting or information collected, used, or stored for health care treatment, payment, or operations under the federal Health Insurance Portability and Accountability Act of 1996. Biometric identifiers do not include an X-ray, roentgen process, computed tomography, MRI, PET scan, mammography, or other image or film of the human anatomy used to diagnose, prognose, or treat an illness or other medical condition or to further validate scientific testing or screening.

"Biometric information" means any information, regardless of how it is captured, converted, stored, or shared, based on an individual's biometric identifier used to identify an individual. Biometric information does not include information derived from items or procedures excluded under the definition of biometric identifiers.

Purpose for Collection of Biometric Data: PBD utilizes the timekeeping system described above for employee identity verification and time entry purposes in compliance with federal and state wage and hour laws.

Consent and Authorization: In order to use the biometric timekeeping system, employees, whether permanent or temporary, will be asked to sign an Acknowledgement and Consent form authorizing PBD and or/its vendor to collect and/or capture employees' biometric identifiers and biometric information as defined above. It is a condition of employment with PBD that employees, whether permanent or temporary, sign the Acknowledgement and Consent form.

Disclosure: PBD will not disclose, redisclose or disseminate the saved encrypted mathematical representation to anyone other than its payroll vendor and any other vendors that maintain, fix, update or troubleshoot the timeclock for the purposes identified above without/unless:

- a. First obtaining written employee consent to such disclosure or dissemination;
- b. The disclosed data completes a financial transaction requested or authorized by the employee or the employee's legally authorized representative;
- c. Disclosure is required by state or federal law or municipal ordinance; or
- d. Disclosure is required pursuant to a valid warrant or subpoena issued by a court of competent jurisdiction.

Retention Schedule: An employee's mathematical representation will be retained only until the initial purpose for collecting or obtaining the biometric identifier or information has been satisfied, which means that PBD will notify its payroll vendor to permanently destroy the saved encrypted mathematical representation within ninety (90) days of an employee's transfer to a position that does not utilize the timekeeping system (if applicable) or within ninety (90) days of an employee's termination. PBD will delete any copy of the encrypted mathematical representation within its possession within ninety (90) days of the employee's transfer to a position that does not utilize the timekeeping system (if applicable) or within ninety (90) days of an employee's termination. PBD will follow these guidelines unless the law dictates otherwise.

Data Storage: PBD will use a reasonable standard of care to store, transmit and protect from disclosure any paper or electronic biometric data collected from its employees. Such storage, transmission, and protection from disclosure shall be performed in a manner that is the same as or more protective than the manner in which PBD stores, transmits and protects from disclosure other confidential and sensitive employee information, including personal information that can be used to uniquely identify an employee or an employee's account or property, such as genetic markers, genetic testing information, account numbers, PINs, driver's license numbers and social security numbers.

Access to Biometric Information Privacy Policy: A copy of PBD's Biometric Information Privacy Policy is available to its employees and the public at: www.pbd.com.