

## Privacy Policy – Updated 07.24.23

### 1. INTRODUCTION

SHIFT Labs Incorporated (the “**Company**”) offers a platform commercialized as Latch (the “**Latch App**” or “**Latch Platform**”) designed to help organizations create clarity, drive alignment, and inspire action. The Company respects the privacy of your Personal Information and is committed to preserving it through our enactment of this Privacy Policy (“**the Policy**”).

The Policy describes the standards, responsibilities and obligations of the Company with respect to any Personal Information that we collect and process. This Policy applies to:

- (i) your access or use of [Shiftthework.com](https://Shiftthework.com) (the “**SHIFT Site**”);
- (ii) use of the Latch App;
- (iii) any other website, mobile application, or internet based platform operated by the Company where we post this Policy; and
- (iv) any other form of communication such as email, regular mail, and phone calls between you and the Company regarding: the SHIFT Site, the Latch App, any other website, mobile application or web-based platform operated by us (collectively, the “**Services**”).

The terms and conditions governing all other aspects of access, use, and delivery of the Services are covered under separate documentation (“[Terms & Conditions](#)” and “**Licensing Agreement**”).

### 2. WHAT PERSONAL INFORMATION WE COLLECT, HOW WE COLLECT IT, AND HOW WE USE IT.

As a general policy, no personally identifiable information, such as your name, address, or e-mail address, is automatically collected by the Services. However, certain non-personal information is recorded by the standard operation of the Company’s internet servers. Information such as the type of browser being used, its operating system, and your IP address is gathered in order to enhance your online experience

#### **A. Overview. This Privacy Policy applies to information that we collect from and about users of our Services, including information:**

- By which you may be personally identified, such as name, demographic information such as your age or gender, email address, personal preference information such as your preferred software and interests, employer, email address, telephone number, or any other identifier by which you may be contacted online or offline, or any other information the Services collect or you provide us through the Services that is defined by applicable law as personally identifiable information (“**Personal Information**”);
- That is about you but individually does not identify you, such as employer name, job title, role, and function, length of time in your current position, IP address and device identifiers; although generally this information is not Personal Information, some of this information may be defined as Personal Information under applicable laws; and

- About your internet connection, the equipment you use to access our Services, and usage details; although generally this information is not Personal Information, some of this information may be defined as Personal Information under applicable laws.

This Policy does not restrict our right to use information that is not Personal Information under applicable law, including information that is used in aggregated or de-identified form.

**We use and may share this information for the purposes of: providing access to the Services, identifying and communicating with you, sharing your attributable comments with your organization, responding to your requests/inquiries, improving the Services, marketing our products and services to you, enforcing our rights, and other purposes described below. However, we do not sell your Information.**

**We collect this information:**

- Directly from you when you provide it to us (referred to below as User Submitted Information);
  - We may collect this information in connection with your opting-in or choosing to participate in, but not limited to, the following: mailing lists, downloads, special offers, contests, registration forms, and surveys;
- From other users if they provide information about you through the Services;
- Automatically as you navigate through the Services. Information collected automatically may include usage details, IP addresses, and information collected through cookies and other tracking technologies; and
- From third parties, for example, we use Google Analytics, Mouseflow, and Amplitude.

**California Residents:** Although we are not yet a business that is subject to the California Consumer Privacy Act (“**CCPA**”), we will provide additional notices if and when we become a business that is subject to the CCPA. Upon request, we will identify the Personal Information that we have collected about you, correct any information that identify as incorrect, and will honor your right to be forgotten and remove your Personal Information from our database and other files if you request unless we require the information to process your request or there is a legitimate legal purpose that makes it necessary for us to retain such information.

## **B. Information We Collect About You and How We Collect It.**

**Information You Provide to Us or That is Provided to Us About You (“User Submitted Information”).**

**User Submitted Information may include:**

- **Account and Registration Information.** Information that you provide by filling in requested or required fields through your use of the Services. This includes information provided at the time of registering to use the Services, Posting User Contributions (defined below), providing profile Information, or requesting further services. We may also ask you for information when you report a problem with the Services.

- **Correspondence with us.** Records and copies of your correspondence (including email addresses), if you contact us, and your responses to surveys that we might ask you to complete for research or feedback purposes.
- **User Contributions that you Post to the Services.** As part of using the Services, you may provide information to be published, displayed or otherwise shared with (hereinafter, “**Post**”) other users of the Services (“**User Contributions**”). Your User Contributions are Posted and transmitted to others at your own risk. Although we limit access to certain pages, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of the Services with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that unauthorized persons will not view your User Contributions.
- **User Contributions that others Post about you on the Services.** Part of using the Services is the ability to interact with other users. As such, it is possible that another user may share information about you by Posting. We cannot control the actions of other users nor the content they choose to Post on the Services.

### **Information We Collect Through Automatic Data Collection Technologies (“Usage Information”).**

We may collect the following Usage Information as you interact with the Services, using automatic data collection technologies to ascertain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to the Services, including traffic data, time spent using the Services, pages visited, and actions taken.  
Information about your computer and internet connection, including your IP address, operating system, browser type, and other information that your browser sends when you access the Services.

The Usage Information we collect automatically is generally used in aggregated form but may include Personal Information as defined under some laws. We use or may use third-party analytics services, such as Google Analytics, Mouseflow, or Amplitude to evaluate your use of the Services, compile reports on activity, collect demographic data, analyze performance metrics, and collect and evaluate other information related to the use of the Services. These third-party service providers have their own privacy policies addressing how they use such information. For more information on how each of these providers uses data it receives in connection with their tools and your choices, you can visit the following: For Google: [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/), for Mouseflow: <https://mouseflow.com/legal/company/privacy-policy/> and for Amplitude: <https://amplitude.com/privacy>.

### **C. How We Use Your Information. We use Personal Information that we collect about you or that you provide to us:**

- To notify you about changes to the Services or any products or services we offer or provide though it.
- To allow you to participate in interactive features of the Services.
- To provide you with customer and technical support.

- To debug and fix errors with the Services.
- To improve the Services and to undertake internal research and development.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us (such as the Terms and Conditions), including for billing and collection.
- Detecting security incidents.
- Protecting against malicious, deceptive, fraudulent, or illegal activity.
- In any other way we may describe when you provide the information or to fulfill any other purpose for which you provide it.
- For any other purpose with your consent.

**3. HOW WE DISCLOSE YOUR INFORMATION. We may disclose aggregated information about our users and their use of the Services, and information that does not identify any individual, without restriction. We may disclose Personal Information that we collect or you provide:**

- To fulfill the purpose for which you provide it. For example, if you tag a colleague in your Reflect Post to congratulate them on a recent business win, we will Post that comment, notify the person who was tagged, and retain that comment in the Launch Community Activity feed.
- To contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep Personal Information confidential and use it only for the purposes for which we disclose it to them.
- To our subsidiaries and affiliates if we form any in the future.
- For any other purpose disclosed by us when you provide the information.
- With your consent.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of the Company's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by the Company about users of the Services is among the assets transferred.

**We may also disclose your Personal Information:**

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce or apply our Terms and Conditions and other agreements, including for billing and collection purposes if and when we begin charging directly for the Services.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of our company, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

**4. YOUR CHOICES ABOUT HOW WE USE AND DISCLOSE YOUR INFORMATION. While your organization may initially enroll you in certain aspects of the Services, it is**

important to us that you retain ultimate choice about what you share with us and through the Services. The following options are available to you as a means of controlling your Personal Information:

- **Publicly Viewable Content:** Users of the Services are solely responsible for the content of messages they Post on any forums on the Services such as the **Reflect** or **Act** sections (both Reflect and Act sections appear on the Community Activity page in the Latch Platform, which is visible to all participants in your organization who are active on the Latch Platform), bulletin boards, chat areas, and any other publicly viewable aspects of the Services (collectively, the “**Forum Areas**”). Users should be aware that when they voluntarily disclose Personal Information (e.g., username, e-mail address, phone number) by Posting to Forum Areas, that information can be collected and used by others and may result in unsolicited messages from other people. You are responsible for the Personal Information you choose to submit in these instances. Participation in the Forum Areas is optional, and your participation in such features is purely voluntary. Please take care when using these features.
- **Choice To Opt-In.** The Services may provide you with the opportunity to opt-in to receive communications from us at the point where we request information about you. You always have the option of removing your name from any e-mail list in order to discontinue any such future communications. In order to ensure immediate removal from any list, please follow the specific instructions set forth within the communications you receive from the Company which you no longer wish to receive. If you are unsuccessful in completing the instructions specified in any such communication, please e-mail us at [team@shiftthework.com](mailto:team@shiftthework.com) or if it is specifically related to use of the Latch App, at: [clientsuccess@thelatchplatform.com](mailto:clientsuccess@thelatchplatform.com), including a copy of the undesired email attached to the request, and state you wish to be removed from the mailing list.
- **Promotional Offers from the Company.** If you do not wish to have your email address used to promote our own products or services, you can opt out by unsubscribing from the email using the link in the email or at any other time by sending us an email stating your request to contact us at: [team@shiftthework.com](mailto:team@shiftthework.com) or if it is specifically related to use of the Latch App, at: [clientsuccess@thelatchplatform.com](mailto:clientsuccess@thelatchplatform.com). You may still receive emails regarding transactions related your use of certain aspects of the Services even if you opt-out of marketing emails.
- **Analytics.** The SHIFT Site uses Google Analytics to collect information about you and your behaviors. You can opt-out of Google Analytics here: <https://tools.google.com/dlpage/gaoptout>.

**5. ACCESSING AND CORRECTING YOUR INFORMATION.** You may send us an email at [team@shiftthework.com](mailto:team@shiftthework.com) or if it is specifically related to your use of the Latch App, please contact us at [clientsuccess@thelatchplatform.com](mailto:clientsuccess@thelatchplatform.com) to request access to, correct, or delete any Personal Information that you have provided to us. We can delete a comment you have made while retaining access to your account, but we cannot delete certain Personal Information (i.e., first name, last name, email address) without also deleting your user account. We may not accommodate a request to change information if the change is not required by applicable laws

or if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

## **6. COOKIES.**

Cookies are pieces of information that a website transfers to an individual's computer hard drive for record keeping purposes. Cookies make using the SHIFT Site easier by, among other things, saving your passwords and preferences for you. These cookies are restricted for use only on the SHIFT Site and do not transfer any personal information to any other party. Most browsers are initially set up to accept cookies. You can, however, reset your browser to refuse all cookies or indicate when a cookie is being sent. Please consult the technical information relevant to your browser for instructions. If you choose to disable your cookies setting or refuse to accept a cookie, some parts of the SHIFT Site may not function properly or may be considerably slower.

**7. MALWARE/SPYWARE/VIRUSES.** Neither the Company nor the SHIFT Site knowingly permits the use of malware, spyware, viruses, and/or other similar types of software.

**8. CHILDREN UNDER THE AGE OF 18.** The Services are not intended for children under 18 years of age. No one under age 18 may provide any information to or on the Services. We do not knowingly collect Personal Information from children under 18. If you are under 18, do not use or provide any information on the Services or on or through any of its features. If we learn we have collected or received Personal Information from a child under 18 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 18, please contact us at: [team@shiftthework.com](mailto:team@shiftthework.com) or if it is specifically related to use of the Latch App, please contact us at [clientsuccess@thelatchplatform.com](mailto:clientsuccess@thelatchplatform.com).

**9. DATA SECURITY.** We have implemented measures designed to secure your Personal Information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is protected by the most secure global infrastructure. The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to the Services, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. Although we do our best to protect your Personal Information, we cannot guarantee the security of your Personal Information transmitted to the Services. Any transmission of Personal Information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Services.

**10. CHANGES TO OUR PRIVACY POLICY.** It is our policy to Post any changes we make to the Policy on this page with a notice that the Policy has been updated. If we make material changes to how we treat our users' Personal Information, we may also notify you by email to the primary email address specified in your account, and an update notice on this page, and/or through a notice on the login page for the Latch App ([app.thelatchplatform.com](http://app.thelatchplatform.com)). The date the Policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting this Policy to check for any changes. Your continued use of the Services after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

## **11. CONTACT INFORMATION.**

To ask questions or comment about this Policy and our privacy practices, contact us at: [team@shifthework.com](mailto:team@shifthework.com) or if it is specifically related to use of the Latch App, at: [clientsuccess@thelatchplatform.com](mailto:clientsuccess@thelatchplatform.com).