

Birkman International, Inc.

Privacy Policy

Birkman International, Inc. (“Birkman,” “we,” “us,” or “our”) is committed to protecting the privacy of your personal information. We have policies and procedures to protect the confidentiality of your personal information and to control access to it. Please read the following policy (“Privacy Policy”) which includes the United States – European Union Safe Harbor privacy statement, the United States – Switzerland Safe Harbor privacy statement, and the website privacy statement. This Privacy Policy explains how we use and protect the information that you provide to us through our Websites <http://www.birkman.com>, <https://direct.birkman.com>, <https://q.birkman.com> (collectively, the “Websites”), by phone, email or by completing our paper questionnaires.

Information We Collect Generally

The information about you that we may collect includes, among other things, your name, age, gender, educational background and career information, along with your email address and your mailing address (collectively, “Personally Identifying Information”). We also collect ethnicity information for non-US persons taking the Birkman Method® assessment, but providing such information to us is voluntary. Our policy is not to disclose ethnicity information in conjunction with Personally Identifying Information, other than in de-identified form, in the aggregate, for research purposes. On portions of the Websites where products or services are being purchased, we may also ask for your bank account or credit card number so that we can process your order. We do not collect your Social Security Number or similar government-issued identification numbers.

Information Collected From Websites

We may log a user’s IP address, browser type and version, dial-up domain, and computer operating system when a user visits our Websites. IP addresses may in some cases be linked to your Personally Identifying Information. We use the tracked information, including IP addresses, to help diagnose problems with our servers and to administer our Websites.

Our Websites have specific areas where clients can purchase products and services, register for training classes and update their contact information. As part of the purchase and registration processes, we request clients to provide their contact information (such as their name, address and email address) and financial information (such as their bank account or credit card numbers, expiration dates, and security codes). When applicable, we verify our client-provided credit card information with a third party prior to order processing.

When visiting our Websites, our web servers may place a piece of information known as a cookie on your computer. Cookies are commonly used by websites to improve the user experience and have not been known to transmit computer viruses or otherwise harm your computer. Many cookies last only through a single website session or visit. Others may have an expiration date, or may remain on your computer until you delete them.

We may use cookies for a number of purposes – for example, to maintain continuity during a user session, or to gather data about the usage of our Websites for internal research and other purposes.

Our cookies will track only your activity relating to your online activity on the Websites, but will not track your other Internet activity. Our cookies do not gather Personally Identifying Information, ethnicity information, bank account or credit card information.

You can decide if and how your computer will accept a cookie by configuring your preferences or options in your browser. However, if you choose to reject cookies, you may not be able to use certain of our online products and services or some features of our Websites.

We may occasionally use other companies to set cookies on our Websites and gather cookie information for us. In some cases, we may also use another company to operate web servers for our Websites. We use the cookie information gathered by these companies in the same manner as stated above.

In addition to the information we collect from cookies, we also obtain information which you provide to us online. Additionally, we retain Website session data for each user to maintain continuity in the use of our Websites.

Contact information from the order or registration forms is used to send orders to our clients or to enroll them in training classes. Also, we may use this contact information to provide mailings and other marketing material regarding product information and training schedules. We may conduct surveys during which non-personally identifiable information is collected only to garner survey results. Users may opt out of receiving any of the surveys, newsletters or other marketing materials by contacting Birkman by email at: unsubscribe@birkman.com.

Purpose for Which Personally Identifying Information is Collected and Used

Users may access our Websites to take the Birkman Method® assessment. The Birkman Method® assessment is comprised of a questionnaire of approximately 300 questions and a series of reports derived from an individual's particular responses to these questions. An individual may participate in The Birkman Method® assessment and respond to the questionnaire on his or her own initiative or at the request of an employer, a prospective employer, educational, religious or not-for-profit organization, other entity and/or consultant (a "Sponsoring Organization"). In order to have access to the questionnaire an individual is requested to provide us with certain Personally Identifying Information. If you are taking the Birkman Method® assessment at the request of a Sponsoring Organization, by participating in the Birkman Method® assessment, you are consenting to our disclosure of your Personally Identifying Information to that Sponsoring Organization. Access to your Personally Identifying Information will be granted to the Sponsoring Organization and to those within Birkman who have a need of such information for business reasons associated with providing and administering the Birkman Method® assessment. If you do not wish for the Sponsoring Organization to gain access to your Personally Identifying Information, please do not proceed with the Birkman Method® assessment. In providing your Personally Identifying Information to Sponsoring Organizations, we may disclose the Birkman Method® assessment, but we will not disclose your particular answers to any particular questions in the personality assessment portions of any questionnaire, other than questions about your identity. We do not barter, trade or sell access to your Personally Identifying Information, other than with your written permission, as set forth below.

Personally Identifying Information and the reports about you generated in connection with the Birkman Method® assessment will not be transferred or disclosed by Birkman to a third party (other than the Sponsoring Organization, if applicable) without your express written permission. Permission may be in the form of (i) an email addressed to BirkmanTURGroup@birkman.com, which must be sent from the email address associated with your name in our database, or (ii) a signed consent in the "Birkman Report Release Authorization" form available on our Website under the "Contact Us | Corporate Contacts" button, which may be faxed to: (713) 963-9142, or mailed to: Birkman International, Inc., 3040 Post Oak Boulevard, Houston, Texas, 77056, Attention: Transfers, Upgrades and Releases Group. The party to whom the transfer will be made will be responsible for our customary administrative charges associated with this transfer.

For research purposes, we may aggregate your responses to our questionnaire with the responses of other individuals to develop group norms, conduct validation studies, perform statistical analysis, and develop new products and other similar activities to improve our assessments for future use.

We may disclose Personally Identifying Information about you if such disclosure is required by federal, state, local or other government regulations. In such cases, we will use commercially reasonable efforts to disclose only the information required under applicable law.

Links to Other Websites

Our Websites may contain links to other Websites. We have no control over the privacy practices of such other Websites nor should any such link be considered an endorsement of such other Websites' privacy practices. We recommend that you read the privacy policies of such other Websites.

Security

Birkman takes commercially reasonable procedural, physical and electronic measures to protect your information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. We protect your information during electronic transmission by using Secure Socket Layer (SSL) software, which encrypts the information that you provide to us and the information that we transmit to you. We also take appropriate physical safeguards to protect your information while in storage and in our office. We restrict access to information collected about you at our Websites to our employees or others who need to know that information to provide services to you or in the course of conducting our normal business operations.

Children's Information

We do not solicit or intentionally collect data from persons under 13 years old nor do we publish content that is targeted at anyone under 13 years old. If you are under 13, you may not use any of our Websites.

Changes to Your Personally Identifiable Information

You have the right to access the Personally Identifiable Information that we maintain about you and to correct, amend or delete that information where it is inaccurate. Requests may be made by email to: privacy@birkman.com. The email request must be followed up with written proof of identity, which should be a copy of your driver's license, passport, birth certificate or national identity card. Information about where to send such proof of identity will be forwarded to you in response to your email request, along with information about any associated fees and the anticipated response time.

EU Privacy Compliance

We comply with the U.S. – E.U. Safe Harbor Framework and the U.S. – Switzerland Safe Harbor Framework regarding the collection, use, and retention of data from the European Union and Switzerland, and we adhere to the Safe Harbor Privacy Principles.

Emails, Questions, Complaints, and Disputes

We welcome your email messages to mailboxes listed on the Websites. We will share your messages with those within our organization who are most capable of addressing the issues contained in your message. We will keep a copy of your message until we have had an opportunity to address your concerns. We may archive your message for a certain period of time or discard it.

Please include your name, address and phone number or e-mail address in all communications to us and state clearly the nature of your request, complaint, or question. With respect to complaints and disputes regarding this Privacy Policy, you may send communications to us at: privacy@birkman.com.

We regularly review our compliance with this privacy policy and verify that the policy is accurate, comprehensive for the information intended to be covered, prominently displayed, fully implemented and accessible and in conformance with the Safe Harbor Framework. Interested persons are encouraged to raise any concerns using the contact information provided in this policy and we will investigate and attempt to resolve any complaints and disputes regarding use and disclosure of the Personally Identifying Information in accordance with the Safe Harbor Framework.

For complaints or disputes regarding this Privacy Policy from a user within in the European Union or Switzerland that cannot be resolved between us and that user through our internal dispute resolution process, we will participate in the dispute resolution procedures of the American Arbitration Association in accordance with its applicable commercial rules as well as the Safe Harbor principles. We reserve the right to select the venue for all such dispute resolution procedures.

Changes to This Privacy Policy

Birkman may change this Privacy Policy at any time. When we do, we will also revise the “last updated” date at the bottom of this Privacy Policy and post notification of a change on the Websites. You should review this Privacy Policy regularly for changes.

LAST UPDATED: May 5, 2011

We Self-Certify Compliance with:

