




DOCUMENT REF.: EMMES-QUAL-01782	LAST REVISION DATE: 26Mar2022	DOCUMENT TYPE: Notice	VERSION NO.: 2.0
	DOCUMENT TITLE: Emmes External Privacy Notice		VERSION DATE: 16 Oct 2023
			EFFECTIVE DATE: 13 Nov 2023

External Privacy Notice

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1. YOUR PRIVACY IS IMPORTANT TO US

Emmes is committed to respecting the privacy of all individuals. This privacy notice explains our information practices and the choices you have about the way your personal information (PI) is collected, used, and protected. Any questions or concerns can be directed to the email address listed in Section 2.

This notice applies to Emmes and all affiliated entities, and for all purposes discussed herein (where Emmes is the Data Controller).

2. CONTACT DETAILS

The Data Controller – Emmes, and its affiliates – are headquartered at 401 North Washington Street, Suite 700, Rockville, Maryland 20850. Emmes commits to resolve complaints about our collection and use of your personal information. Individuals with questions, concerns, or other comments related to this Privacy Notice should direct those to the Emmes Data Protection Officer at DPO@emmes.com. We will investigate and attempt to resolve reasonable complaints and disputes.

You also have the right to lodge a complaint with your local data protection authority if you have concerns about how we are processing your personal information. In compliance with the EU-U.S. Data Privacy Framework (EU-U.S. DPF), Emmes commits to cooperate and comply with the advice of the panel established by the EU data protection authorities (DPAs) with regard to unresolved complaints concerning our handling of personal data received in reliance on the EU-U.S. DPF.


3. DEFINITIONS

3.1. Personal Information (PI):

Any information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

3.2. Controller:

The natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. Where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

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3.3. Processor:

A natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

4. WHAT DATA DO WE PROCESS, HOW DO WE COLLECT IT, AND WHY DO WE NEED IT?

The type of data we process, how we collect it, and our uses for it vary depending on your relationship to our company.


This privacy notice is intended for you if you:

- Are seeking full-time or contract employment opportunities with Emmes (Employee & Consultant Candidates).
- Visit our facilities (Visitors)
- Collaborate with Emmes as a current or prospective customer, business partner, vendor, or clinical investigator (collaborators).
- Visit our websites for any reason (website visitors).

The tables below identify, among other things, different categories of personal data processed for various purposes. Those categories refer to examples such as but not limited to the following:

'General' Personal Data Categories	Examples
Affiliations – General	Membership in clubs, professional associations, other organizations.
Behaviors	Web browsing, Habits, Job Performance, etc.
Career/Professional	Employment history, roles, education, resume, etc.
Communications Received	Correspondence between you and Emmes personnel.
Demographic	Age, gender, date of birth, language(s) spoken, nationality, etc.
Device Info	Computer address, browser identifiers, etc.
Family	Marital status, children, relatives, etc.
General Identifiers	Name, email, phone number, address, username, etc.
Geolocation - Approximate	Neighborhood, City, State, Country, etc.
Life History	Milestones, Military/other service, activity participation, etc.
Participation	Programs, meetings, schedules, calendars, etc.
Social Network	Acquaintances or friends, social media content, etc.
Transactions	Purchases, Expense Reports, Travel expenses, etc.

'Sensitive/Special' Personal Data Categories	Examples
Criminal	Criminal records, background checks, etc.

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Finances	Income, loans/debts, investments, taxes, savings, etc.
Geolocation – Precise	Within one mile – derived from a device.
Government Identifiers	State/Federal ID, Government ID#, Passport, Tax ID #, etc.
Race or Ethnicity	Racial, ethnic, or cultural identification.
Payment Cards	PAN, CVV #, etc.
Sex Information	Sexual orientation, preferences, history.

4.1. Employee & Consultant Candidates:

Purpose for Processing:	To identify and vet qualified candidates for employment or consulting opportunities with the company. Having considered purpose and necessity, Emmes assesses that the balance favors its processing as it is reasonable to expect that typical data subjects would expect this data to be collected for these purposes.	
	General PI (Categories)	Special/Sensitive PI (Categories)
	Affiliations – General, Career/Professional, Communications Received, Demographic, General Identifiers, Geolocation – Approximate, Life History, Transactions.	Criminal, Finances, Race or Ethnicity, Sex Information
Legal Basis:	Legitimate Interest & Employment, Social Security or Social Protection Law	
Data Sources:	We receive this personal data from you.	
Third Party Recipients	Background Check Providers, Software Providers (e.g., Applicant Tracking, HR Information System)	

4.2. Visitors:

Purpose for Processing:	To manage visitor access to and within company premises for security purposes.	
	General PI (Categories)	Special/Sensitive PI (Categories)
	Career/Professional, Demographic, Family, General Identifiers, Geolocation – Approximate.	Geolocation – Precise.
Legal Basis:	Legitimate Interest & Employment, Social Security or Social Protection Law	
Data Sources:	We receive this personal data from you.	
Third Party Recipients	Software Providers, CCTV provider.	


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4.3. Emmes Collaborators (Customers)

Purpose for Processing:	<p>(A) To distribute targeted or broad-based marketing messages that promote company services. Having considered purpose and necessity, Emmes assesses that the balance favors its processing as it is reasonable to expect that typical data subjects would expect this data to be collected for these purposes.</p> <p>(B) To correspond with individuals or groups on a transactional basis, relationship management, project support or other related purposes.</p> <p>(C) To manage customer contracts.</p> <p>(D) To manage customer invoicing.</p>	
General PI (Categories)		Special/Sensitive PI (Categories)
Affiliations – General, Behaviors, Career/Professional, Communications Received, Demographic, Device Info, General Identifiers, Geolocation – Approximate, Participation, Social Network, Transactions.		Government Identifiers, Payment Cards.
Legal Basis:	<p>(A) Legitimate Interest</p> <p>(B) Legitimate Interest</p> <p>(C) Performance of a Contract</p> <p>(D) Performance of a Contract</p>	
Data Sources:	<p>(A) We receive this data from you directly, tradeshow, webinars you attend that Emmes is affiliated with, trade publications, referrals, and networking groups.</p> <p>(B) We receive this data directly from you, departments within our organization that also use this data, and third parties affiliated with the way our businesses collaborate (e.g., auditors, government entities, etc.).</p> <p>(C) We receive this data from you directly, vendors, attorneys, and other professional services firms.</p>	
Third Party Recipients	<p>(A) Software Providers</p> <p>(B) Software Providers, our customers (for referral purposes with permission from you).</p> <p>(C) Third parties that support or otherwise participate in how our businesses collaborate such as suppliers, vendors, auditors and government entities.</p> <p>(D) Vendors, attorneys, and other professional services firms.</p>	

4.4. Emmes Collaborators (Partners & Vendors)

Purpose for Processing:	<p>(A) To correspond with representatives of organizations that provide goods, services, or other means of value to the organization.</p> <p>(B) To manage vendor contracts.</p> <p>(C) To manage accounts payable.</p>
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General PI (Categories)		Special/Sensitive PI (Categories)
Affiliations – General, Behaviors, Career/Professional, Communications Received, Demographic, Device Info, General Identifiers, Geolocation – Approximate, Participation, Social Network, Transactions.		Government Identifiers.
Legal Basis:	Performance of a Contract	
Data Sources:	(A) We receive this data from you directly. (B) We receive this data directly from you, departments within our organization that also use this data, and third parties affiliated with the way our businesses collaborate (e.g., auditors, government entities, customers etc.). (C) We receive this data from you directly, vendors, attorneys, and other professional services firms.	
Third Party Recipients	(A) Software Providers. (B) Third parties that support or otherwise participate in how our businesses collaborate such as customers, auditors and government entities. (C) Vendors, attorneys, and other professional services firms.	

4.5. Emmes Collaborators (Clinical Investigators)

Purpose for Processing:	(A) To accumulate a database of medical professionals that are interested in serving as Clinical Investigators in future studies. (B) To manage vendor contracts.	
General PI (Categories)		Special/Sensitive PI (Categories)
Affiliations – General, Communications Received, General Identifiers, Geolocation – Approximate, Participation.		Not Applicable.
Legal Basis:	Consent	
Data Sources:	We receive this data from you directly, publications, Global Data, Clinicaltrials.gov, Conferences, Site Networks, social media, and referrals.	
Third Party Recipients	Software Providers	

4.6. Website Visitors

Purpose for Processing:	(A) Essential cookies to ensure and improve website functionality. Having considered purpose and necessity, Emmes assesses that the balance favors its processing as it is reasonable to expect that typical data subjects would expect this data to be collected for these purposes. (B) To analyze website user trends.
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General PI (Categories)		Special/Sensitive PI (Categories)
Device Info, Geolocation – Approximate.		Not Applicable.
Legal Basis:	(A) Legitimate Interest. (B) Consent.	
Data Sources:	We receive this data via Google Analytics cookies.	
Third Party Recipients	Google Analytics	

5. INTERNATIONAL TRANSFERS OF PERSONAL INFORMATION

When collecting personal information or sharing it with third parties, data may transfer across international borders. This includes information originating from the European Economic Area (EEA) and transfers to third countries outside of that region. Where EU personal data is concerned, Emmes utilizes standard data protection clauses (GDPR 46(2)(c)), other applicable safeguards and laws, as needed, for the protection of your personal data. Emmes also relies on Adequacy Decisions (GDPR Art. 45), as applicable and takes steps to ensure the protection of this information by implementing appropriate safeguards relative to the risk and sensitivity of the information processed.

Questions regarding the safeguards used to protect your data when it is transferred to countries outside of the EU should be directed to the contact information at the top of this notice. This may take the form of a copy or a reference to where such information is available.

6. DATA RETENTION


Emmes will retain PI only for as long as is necessary for the purpose(s) for which it was collected and in accordance with any applicable consent given in relation to such PI and any applicable laws.

Data will be removed upon request by a data subject (when applicable), or when the data is no longer needed for the purpose(s) it was collected for.

7. INDIVIDUAL RIGHTS

Individuals have the following rights in relation to their PI*. If you wish to exercise any of your rights, please contact us at DPO@emmes.com. Requests are typically addressed within 30 days. Depending on the nature of the request, additional time may be required. Emmes will not discriminate against individuals for exercising their rights under applicable data privacy laws.

Right to be Informed	This privacy notice provides the awareness you are entitled to.
Right of Access	The right to view what personal data is processed and/or request a copy of this data.
Right to Rectification	The right to have personal data rectified if it is inaccurate or out of date.

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Right to Erasure	The right to have personal data deleted.
Right to Restrict Processing	The right to limit the way we use or disclose your personal data.
Right to Data Portability	The right to have PI transferred to oneself or to another controller, in a machine-readable electronic format.
Right to Object	The right to request that Emmes stop processing personal data, where processing is intended for direct marketing, or the legal basis is ‘public task’ or ‘legitimate interest.’
Right in Relation to Automated Decision Making	The right to object to a decision based on automated processing. Where applicable, a manual review of information will be conducted to reach a decision.
‘Do Not Sell My Data’	Right to request that Emmes does not “sell” an individual’s personal data .
Right to Withdraw Consent	The right to withdraw previously given consent for processing PI.

*Not all rights are absolute. Legal basis for processing, the requirement of disproportionate effort, legal obligations, and other factors may impact the applicability of certain rights.

Absent statutory or contractual requirements, data subjects may refuse processing of certain PI. If that occurs, the consequence of such a refusal would likely compromise Emmes’ ability to deliver the purpose or function for which that PI was initially intended.

8. THIRD PARTIES INVOLVED IN PROCESSING PERSONAL INFORMATION


Emmes may be required to disclose your PI in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. Emmes may also share your PI with third parties that process information in connection with the purposes described in this notice. Any such third parties receiving PI are bound to confidentiality and agree to handle all personal data in accordance with applicable laws. Additionally, Emmes confirms that third parties involved in the processing of PI maintain appropriate technical and organizational measures for safeguarding the data relative to its risk. In the event of onward transfers to third parties, Emmes is responsible for its agents or third parties acting on Emmes’ behalf to process PI in a manner consistent with the EU-U.S. DPF principles.

9. DATA SECURITY

Emmes maintains a high standard for information security, particularly in relation to PI. Computer equipment, networks, systems, data, and documentation are maintained to a high standard, and access to data and equipment is at all times restricted to appropriate staff. Emmes’ information security program framework is designed to ensure that holistic and effective security practices are maintained to protect PI that Emmes collects and processes.

10. AUTOMATED DECISION MAKING

Emmes does not use automated decision making when processing your personal data.

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11. EU-U.S. DATA PRIVACY FRAMEWORK

Emmes and its subsidiary companies comply with the EU-U.S. Data Privacy Framework (EU-U.S. DPF) as set forth by the US Department of Commerce. Emmes commits to adhere to all EU-U.S. Data Privacy Framework Principles (EU-U.S. DPF Principles) for all data processed under the EU-U.S. DPF. Emmes has certified to the US Department of Commerce that it adheres to the EU-U.S. DPF Principles with regard to the processing of personal data received from the European Union in reliance on the EU-U.S. DPF. If there is any conflict between the terms in this Privacy Notice and the EU-U.S. DPF Principles, the Principles shall govern. To learn more about the Data Privacy Framework (DPF) program, and to view our certification, please visit <https://www.dataprivacyframework.gov/>. The Federal Trade Commission has jurisdiction over Emmes' compliance with the EU-U.S. DPF. Individuals have the possibility, under certain conditions, to invoke binding arbitration for complaints regarding DPF compliance. Please refer to Annex I of the EU-U.S. DPF for additional information.

12. MERGER

If Emmes should ever file for bankruptcy or be acquired by a third party, merge with a third party, sell all or part of our assets, or otherwise transfer substantially all our relevant assets to a third party, Emmes is entitled to share the PI to potential and subsequent business and merger partners.

13. PRIVACY NOTICE CHANGES

This privacy notice will be reviewed at least annually and updated as needed. This privacy notice may need to change as new legislation is introduced or as it is amended. This privacy notice was last updated per the effective date in the document header.

14. REVISION HISTORY

Version Number	Change(s)
1.0	Initial Document
2.0	<ul style="list-style-type: none"> Section 2 revised to include reference to EU-U.S. DPF and Emmes' commitment to comply with the panel established by the EU data protection authorities. Section 5 revised to reference Adequacy Decisions. Section 7 "Right to Restrict Processing" revised to include the right to limit the way Emmes discloses personal data Section 8 – Third Parties Involved in Processing Personal Information - modified to include statement that Emmes may be required to disclose PI in response to requests from public authorities; modified to indicate that Emmes is responsible for its agents or third parties acting on its behalf to process PI in a manner consistent with the EU-U.S. DPF. Added Section 11 – EU-U.S. Data Privacy Framework.

Document Approvals
Approved Date: 16 Oct 2023

Task: SME Approval Verdict: Approve changes & release	Adebukola Osuntogun, Associate Corporate Counsel (aosuntogun@emmes.com) SME Approver 16-Oct-2023 16:04:27 GMT+0000
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Task: QAQC Approval Verdict: Approve changes & release	David Smith, Quality Assurance Manager (dsmith@emmes.com) QA Approval 16-Oct-2023 16:49:37 GMT+0000
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