

# Privacy Policy

***Effective Date: June 21, 2019***

Your privacy is important to us and maintaining your trust is our priority.

Puffy, Inc. ("Puffy," "we," or "us"), respects your privacy and is committed to protecting it through our compliance with this Privacy Policy.

This Privacy Policy describes the types of information we may collect from you or that you may provide when you visit one of the websites listed below, and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This Privacy Policy applies to data we collect:

- On this Website.
- In email, text, and other electronic messages between you and this Website.
- Through mobile and desktop applications you download from this Website, which provide dedicated non-browser-based interaction between you and this Website.
- When you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to this Privacy Policy.

Capitalized terms that are not defined in this Privacy Policy have the meaning given to them in our [Terms of Use](#) or in any other contractual document between you and us.

This Privacy Policy is provided in a layered format so you can click through to the specific areas set out below. Alternatively, you can download a pdf version of the policy [here](#).

## CLICK ON THE LINKS BELOW TO JUMP TO EACH SECTION:

1.

### 1) WHO WE ARE [top](#)

The Website is owned and operated by Puffy, Inc. ("Puffy"), which provides an online job board that connects employers to job seekers.

### 2) KEY TERMS [top](#)

It would be helpful to start by explaining some key terms used in this Privacy Policy:

Non-Personal Data	“Non-Personal Data” means data that is not considered Personal Data under applicable law. We reserve the right to treat data as Personal Data or Non-Personal Data based on the law applicable to the data and the data subject.
Personal Data	“Personal data” means any information or pieces of information that could identify you either directly (e.g., your name) or, where required by applicable law indirectly (e.g., through pseudonymised data, such as a unique ID number). This means that Personal Data includes things like email/home addresses, usernames, user generated content, financial information, and health information. It could also include certain Technical Data (defined below) such as unique numerical identifiers like your computer’s IP address or your mobile device’s MAC address, as well as cookies (“ <u>Device IDs</u> ”), where required by applicable law
Special Categories of Personal Data	This refers to sensitive Personal Data that reveals racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership; Genetic and biometric data; and Data concerning health, sex life or sexual orientation.

### 3) DATA WE COLLECT ABOUT YOU

#### Personal Data

As permitted by applicable law in the country from which you access our Website and use our services, we may collect, use, store and transfer different kinds of Personal Data about you. We have grouped these into the following categories of Personal Data:

- “**Identity Data**” such as first name, maiden name, last name, resume/CV, Social Media profile, username or similar identifier.
- “**Contact Data**” such as billing addresses, email addresses and telephone numbers.
- “**Financial Data**” such as payment card details. However, please note that payment methods (e.g., credit card number and/or PayPal and/or bank account details) are not collected by us directly, but by secure payment service providers.
- “**Transaction Data**” such as details about payments to and from you, and details regarding the services that you have subscribed to in relation to this Website.
- “**Technical Data**” such as Device IDs, your login data, access dates and times, browser type and version, device information, cookie data, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the Website.
- “**Profile Data**” such as your username and password, orders made by you, preferences, user-generated content, job searches, candidate searches, job applications, feedback and survey responses.
- “**Usage Data**” such as information about how you use our Website, products and services.

- **“Marketing and Communications Data”** such as your preferences in receiving marketing from us and our third-parties and your communication preferences.

### **Non-Personal Data**

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your Personal Data but is not considered Personal Data since it does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature.

### **If You Fail to Provide Personal Data Where Required to Provide Services to You**

Where we need to collect Personal Data by law, or under the terms of a contract we have with you, or a prospective contract, and you fail to provide that Personal Data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with our services). If so, we may have to cancel the service you have with us (or have requested from us), and you accept that as a condition of service.

### **Data That You Should Not Provide to Us**

We do not require any **Special Categories of Personal Data** about you. Accordingly, please do not provide this type of personal data to us.

### **Puffy as a Data Processor**

Puffy acknowledges that you have the right to access your personal information. With respect to Personal Information provided by a client of Puffy to Puffy, we collect such information under the direction of that client and have no direct relationship with the individuals whose Personal Information we process. If you are a customer of such a Puffy client and would no longer like to be serviced by such client, please contact the client directly. If you seek access or want to correct, amend, or delete inaccurate data, you must direct such request to that client (the data controller). If requested to remove data, we will respond within a reasonable timeframe. We may transfer personal information to companies that help us provide our service. Transfers to subsequent third parties are covered by our service agreements with our clients.

We will retain Personal Data that we process on behalf of our clients for as long as needed to provide services to our client. Puffy will retain this Personal Data as necessary to comply with our legal obligations, resolve disputes, enforce our agreements, and in accordance with our internal record keeping policies.

## **4) HOW DATA IS COLLECTED**

We use different methods to collect Personal Data from and about you including, for example:

### **Direct Interaction**

You may give us your identity, contact, billing and other information by filling in forms or by corresponding with us by post, phone, e-mail or otherwise. This includes Personal Data you provide when you:

- create an account on our Website
- request information to be sent to you

- submit your CV/resume to our resume database
- give us some feedback
- apply to a job posted on our Website
- authorize Puffy to connect your account to the account of a "**Connected Site**" (e.g., LinkedIn, Monster, Facebook or Twitter), we may be able to access information you have provided to the Connected Site, such as content information, timeline feeds, contact and follow lists, network statistics and updates regarding your Connected Site account

**Automated Technologies or Interactions.** As you interact with our Website, we may automatically collect Technical Data and Usage Data about your equipment, browsing actions and patterns. We collect this Personal Data and Non-Personal Data by using cookies, server logs and other similar technologies. We may also receive Technical Data and Usage Data about you if you visit other websites employing our cookies and other Tracking Technologies (defined below). For more information regarding our use of Tracking Technologies, please refer to "Cookies and Similar Technologies" below.

**Third Parties.** We may receive Personal Data in the form of Technical Data and Usage Data about you from various third-parties such as analytics providers or advertising networks.

## 5) HOW WE USE YOUR DATA [top](#)

### **Non-Personal Data**

Where permitted by applicable law, we may use your Non-Personal Data for any purpose not prohibited by applicable law or inconsistent with this Privacy Policy or any written representation we have made to you at the point and time of the data collection.

### **Personal Data**

We will only use your Personal Data where permitted by law. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract, we are about to enter into or have entered into with you
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interest
- Where we need to comply with a legal obligation
- Where you have given us your consent

### **Purposes for Which We Use Your Personal Data**

In the table below, we have described (i) in what context your personal data was collected, i.e., what activity you were involved in when we collected or used your personal data; (ii) the types of personal data that we hold about you; (iii) how and why we use your personal data; and (iv) what our legal basis is for using your personal data. We will amend the table as required. We have also identified what our legitimate interests are where appropriate. We have also provided you with an explanation of some of the terms we use in this table:

- a. **‘Legitimate Interest’** means our interest in conducting and managing our business, to enable us to give you the best experience when using the Website, products, and services. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).
- b. **‘Performance of Contract’** means processing your Personal Data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- c. **‘Comply with a legal or regulatory obligation’** means processing your Personal Data where it is necessary for compliance with a legal or regulatory obligation to which we are subject.
- d. **‘Consent’** means that you consent to our use of your personal data for one or more specific purposes. Where we rely on your consent to use your personal data, you have the right to withdraw that consent at any time. You can do this by contacting us at [support@puffy.co.za](mailto:support@puffy.co.za). However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

## 6) WHO WE SHARE YOUR DATA WITH [top](#)

We require all third-parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your Personal Data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### Personal Data

We may share Personal Data with the following parties:

#### Internal Parties

- Companies within our corporate family that comprise the Puffy Group. Access to your Personal Data will be controlled and only granted where necessary to provide our services to you and/or to allow us to perform any necessary or legitimate functions.

#### External Third-Parties

- Service providers that we use to support our business and help provide our services to you, including, but not limited to, third-parties that host our Website, assist us to verify your identity, perform website and platform maintenance, risk assessments, and security, perform data and web analytics, provide databases, IT services, customer service, payment platforms and credit card processing, communication services, and email services
- Professional advisers such as lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance, financial, auditing, and accounting services to us so we can operate our business

- Taxing authorities, such as the Internal Revenue Service and other authorities acting as processors based in the United States, the United Kingdom and other applicable countries, who require reporting of processing activities in certain circumstances
- Fraud prevention and identity verification services where we believe that disclosure is necessary or appropriate to protect the rights, property, or safety of Puffy, our customers or others. This includes exchanging information with third-parties for the purposes of fraud detection and prevention and credit risk reduction
- In connection with or during negotiations of any proposed or actual financing, merger, purchase, sale, sale or transfer of some or all of our assets or stock, joint venture, or any other type of financing, acquisition or business combination of our company(ies), or all or any portion of our assets, or transfer of all or a portion of our business to another company, including without limitation in the event of a divestiture, restructuring, reorganization, dissolution or other event, whether as a going concern or as part of bankruptcy, liquidation or similar proceeding. In the event of a merger, divestiture, restructuring, reorganization, or other sale or transfer of some or all of our assets or stock, Personal Data that we hold about our clients and users of our services will be one of the assets that will be transferred. If a change happens to our business, the new owners may use your personal data in the same way as set out in this Privacy Policy
- Third-parties where you have expressly consented to the disclosure of your Personal Data
- Law enforcement agencies, courts, supervisory authorities, regulatory bodies and certain other third-parties, to the extent that we are permitted or required to do so by law, or in order to comply with our legal and regulatory obligations, or in the interests of national security, or to respond to verified requests relating to a criminal investigation or alleged or suspected illegal activity
- To enforce our [Terms of Use](#) and other agreements with you, to respond to, and defend ourselves against, claims asserted against us, to protect the rights, property, or safety of Puffy, our services, customers or others, or to investigate, prevent, or take action regarding suspected or actual illegal activities or for debt collection
- If you are a job seeker, we will share your personal data with prospective employers if you respond to a job advertisement or have opted-in to our Resume Database. Note: to the extent that you have an account with Puffy, please ensure that the resume associated with your account is up-to-date so when you apply for a job on a Puffy website, the employer receives your most recent resume. You will have an account with Puffy if you opened an account yourself, signed up for job alerts, submitted your resume to the resume database, and/or applied for a job on the Puffy website. You can delete and upload new resumes by going to the 'Profile' settings in your account.
- You can opt-out of your information being available in our Resume Database at any time by updating this preference on the My Profile tab of your Job Seeker account
- Upon your authorization, the Services may also post information directly to the timeline of your Connected Site Account
- With prospective employers and recruiters (and/or with their external Applicant Tracking System or similar external system used by such companies to manage responses to their job postings), if you respond to a job posting
- From time to time, we may run contests, special offers, or other events or activities ("*Events*") on our Services together with a third-party partner. If you provide information to

such third parties, you give them permission to use it for the purpose of that Event and any other use that you approve. We cannot control third parties' use of your information. If you do not want your information to be collected by or shared with a third party, you can choose not to participate in these Events

- For any other purpose disclosed by us when you provide the information or with your consent

### **Non-Personal Data**

Where permitted by applicable law, we may share your Non-Personal Data for any purpose not prohibited by applicable law or inconsistent with this Privacy Policy or any written representation we have made to you at the point and time of the data collection.

## **8) HOW LONG YOUR DATA WILL BE KEPT** [top](#)

We will not retain your Personal Data for longer than necessary for the purposes set out in this Privacy Policy. Different retention periods apply for different types of Personal Data and in determining the appropriate retention period, we consider several criteria, including, but not limited to, the purpose for which we hold your Personal Data, our legal, accounting, reporting and/or regulatory obligations in relation to that Personal Data, e.g., financial or tax reporting obligations, whether our relationship with you is ongoing, e.g., where you use more than one of our products and/or services, any specific request you may have made in relation to the deletion of your Personal Data, or where we have a legitimate interest in relation to the management of our own rights, e.g., the defence of any claims. In some circumstances we may anonymize your Personal Data so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you no longer have a relationship with us, we will retain and securely destroy your Personal Data subject to the foregoing and in accordance with applicable laws and regulations. If you request to receive no further contact from us, we will keep some basic information about you on our suppression list in order to avoid sending you unwanted materials in the future.

## **10) COOKIES & TRACKING TECHNOLOGIES** [top](#)

Puffy and third parties may use cookies or similar tracking technologies (e.g., pixels, beacons, scripts, etc.) ("[Tracking Technologies](#)") to analyze trends, administer the website, track users' movements around the website, and to gather demographic information about our user base as a whole. You can control the use of cookies at the individual browser level, but if you choose to disable cookies, it may limit your use of certain features or functions on our website or service. For more information about the types of cookies and Tracking Technologies that we, and certain third parties use, and why we use them, and how you can control these, please review our policy regarding [Cookie Policy](#).

We partner with a third party to either display advertising on our websites or to manage our advertising on other sites. Our third party partner may use cookies or similar technologies in order to provide you advertising based upon your browsing activities and interests. Please note that you will continue to receive generic ads.

We use mobile analytics software to allow us to better understand the functionality of our Mobile Software on your phone. This software may record information such as how often you use the application, the events that occur within the application, aggregated usage, performance data and where the application was downloaded from.



To the extent permitted by applicable law, we may send you push notifications from time-to-time in order to update you about any events or promotions that we may be running. If you no longer wish to receive these types of communications, you may turn them off at the device level. To ensure you receive proper notifications, we will need to collect certain information about your device such as operating system and user identification information.

## **11) DATA SECURITY** [top](#)

We use appropriate technical and organizational measures to protect Personal Data we process about you.

However, no transmission of information via the Internet or wireless network can be guaranteed to be 100% secure. As a result, while we strive to protect your Personal Data, you acknowledge that there are security and privacy limitations of the Internet which are beyond our control and accordingly, the security, integrity and privacy of data exchanged between you and us through the Website cannot be guaranteed.

We have put in place procedures to deal with any suspected Personal Data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

The safety and security of your Personal Data also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your login or account credentials with anyone and keep your account information secure. We urge you to be careful about giving out information in public areas of the Website like message boards, where information will be available to other users of the Website. If you believe that your access credentials or Personal Data have been compromised, please contact us immediately.

## **12) LINKS TO THIRD PARTY WEB SITES AND SOCIAL MEDIA FEATURES**[top](#)

Our Website may from time to time, contain links to third-party services such as websites, locations, platforms, applications or services operated by third parties. If you follow a link to or otherwise access any of these third-party services, these third-party services may use their own cookies, web beacons, and other Tracking Technology to independently collect information about you and may solicit Personal Data from you. Please note that these third-party services have their own privacy policies and we do not accept any responsibility or liability for these parties' policies or practices. Please check these policies before you share any Personal Data with these third-party services.

We may offer you the opportunity to use your social media login when interacting with our Website. If you do so, please be aware that you may be sharing your profile information with us. The personal data that is shared will depend on your social media platform settings. Please visit the relevant social media platform and review its privacy policy to understand how your personal data is shared and used in this context.

Social media features may also collect your IP address, which page you are visiting on our Website, and may set a cookie or other Tracking Technologies to enable the applicable social media feature to function properly. Your interactions with these features are governed by the privacy policy of the company providing such features.



The Website may include tools provided by us or third-party services that enable you to send a message to another person. If you use any such tools, please ensure that you only send messages to persons to whom you have permission to send messages. Absent the recipient's consent, we will only use their Personal Data that you provide us to facilitate such messages.

## **14) PUBLIC FORUMS** [top](#)

You should be aware that when you voluntarily disclose any Personal Data in a public forum on the Website, this information, along with any information disclosed in your communication, can be collected and used by third parties and may result in unsolicited messages from third parties. Such activities are beyond our control and this Privacy Policy does not apply to such information. You accept that you, and not Puffy, are responsible for providing such information in any public forum. Any submissions to public areas on the Website are accepted by you with the understanding that such forums are accessible to all third parties. If you do not want your comments or any content to be viewed by third parties, you are advised not to make any submissions. Please be careful and responsible whenever you're online.

## **17) MARKETING** [top](#)

We may use your Personal Data to send you information about the services provided by the Puffy Group; provided, however that we will obtain consent to do so where required by applicable law. You may unsubscribe from our marketing e-mails by clicking "Unsubscribe" in any promotional e-mail communications we send you. As permitted by applicable law, you cannot opt-out of non-marketing, services-related notices.

## **18) CHANGES TO THIS PRIVACY POLICY** [top](#)

We reserve the right to change this Privacy Policy at any time. If we propose to make any material changes, we will notify you by posting notice on the Website or by issuing an email to the email address listed by registered users prior to the changes becoming effective. You acknowledge that it is your responsibility to maintain a valid email address as a registered user, and to review the Website and this Privacy Policy periodically in order to be aware of any modifications. If you object to any changes to the revised Privacy Policy, you can stop using our services and close your account with us. However, if you continue to use our services (including the Website) after we publish a new or updated Privacy Policy, you acknowledge that such continued use means that the treatment of your Personal Data will be subject to the new or updated Privacy Policy.

## **19) MINORS & CHILDREN** [top](#)

Our Services and the Website are not intended for use by persons under the age of 18 years. Puffy does not knowingly collect or solicit Personal Data from anyone under the age of 13 or knowingly allow such persons to register to use our Website. In the event that we learn that we have collected Personal Data of a child under the age of 13, we will delete that data to the extent required by applicable law as quickly as possible. If you believe that we might have any Personal Data from or about a child under 13, please contact us at [privacy@puffy.co.za](mailto:privacy@puffy.co.za).