

## PRIVACY POLICY

*Privacy Policy last revised on: May 20, 2016*

In addition to the terms contained in this Privacy Policy, the Customer is also subject to the terms and conditions of Execulink's Terms of Service or other conditions as may be required by statute or regulation.

By activating the Services, the Customer acknowledges reading, understanding and agreeing to Execulink's Terms of Services and Execulink's Privacy Policy. If the Customer does not wish to be bound by this Privacy Policy, or any modifications which may be made by Execulink from time to time (as described in the following paragraph), the Customer should not activate or use the Services and should immediately terminate the Services as specified in the Customer-Initiated Termination section of the Terms of Service.

Execulink may modify or remove portions of this Privacy Policy when it feels it is necessary and appropriate to do so. The Customer may determine when this Privacy Policy was last updated by referring to the date found in the phrase "*Privacy Policy last revised on: \_\_\_\_\_*" located at the top right-hand corner of the first page of this Privacy Policy.

The Customer's non-termination or continued use of the Services after the effective date of any changes made constitutes the Customer's acceptance of this Privacy Policy as modified by such changes. Termination is subject to the provisions contained in the Customer-Initiated Termination section of the Terms of Service.

The Customer may obtain more information about the Services and this Privacy Policy by contacting Execulink's Customer Service at the telephone number(s) shown on the invoice or on-line at Execulink's web site at [www.execulink.ca](http://www.execulink.ca). The Customer may also contact Execulink through Execulink's local offices listed in the Contact Us section on Execulink's web site at [www.execulink.ca](http://www.execulink.ca) or in the telephone directory.

### **1 - Our Commitment to You**

Execulink's core business is providing telephone, Internet and video services and such other products and services that Execulink may provide from time to time. Execulink has always been and will continue to be committed to protecting Personal Information. Execulink has established its Privacy Policy using the ten principles set out in the National Standard of Canada entitled Model Code for the Protection of Personal Information. These ten principles are the following:

#### **Principle #1: Our Accountability for the Collection, Use or Disclosure of Personal Information**

Execulink is responsible for maintaining and protecting personal information while it is under our control. This includes any personal information that may

need to be disclosed to third parties. To help ensure the confidentiality of your personal information, policies and procedures has been established, Execulink has designated a Privacy Officer who is responsible for compliance with the ten privacy principles. If the Customer has any questions or inquiries about how personal information is stored, or when it may need to be disclosed to others, our Privacy Officer is available to assist and explain Execulink's policies.

**Principle #2: Identifying Execulink's Purpose for the Collection, Use or Disclosure of Personal information**

Execulink will collect only the information that is necessary for the Customer's Services and will share information with third parties only on a need to know basis. The Customer's personal information will only be disclosed to third parties with the Customer's express consent or when necessary for legal reasons. Execulink will ensure that customer confidentiality is maintained regardless of the technology used to communicate personal information. If there are any questions about these purposes, our Privacy Officer will be pleased to explain them to the Customer.

**Principle #3: Obtaining The Customer's Consent for the Collection, Use or Disclosure of Personal Information**

Execulink will make every reasonable effort to ensure that our Customers or the Customer's authorized representative understand and consent to how the Customer's personal information will be used. Seeking consent may also be impossible or inappropriate when the Customer is a minor, seriously ill or mentally incapacitated. Written requests and consents to release information will be kept in the Customer's records. Execulink will disclose personal information to third parties only with the Customer's express consent, or when necessary for legal, audit or regulatory reasons. Execulink will ensure that its Customer's personal information will be maintained in confidence regardless of the technology used to communicate the personal information.

**Principle #4: Limiting Our Collection of Personal Information**

The collection of personal information will be limited to that which is necessary to provide the necessary telecommunications services to our Customers. Execulink will always collect personal information by fair and lawful means.

**Principle #5: Limiting the Use, Disclosure and Retention of Personal Information**

Personal information will not be used or disclosed for purposes other than for which it was collected, except with the Customer's consent or as permitted or required by law.

**Principle #6: Keeping Customer's Personal Information Accurate**

Execulink will ensure that personal information is as accurate, current and complete as is necessary for the purposes for which it was collected. If the Customer has any questions about the accuracy and completeness of the personal

information Execulink has collected or retained, please do not hesitate to discuss this with Execulink's Privacy Officer.

**Principle #7: Safeguarding Customer's Personal Information**

Personal information will be protected by the security safeguards appropriate to the sensitivity of the information. Execulink will maintain adequate physical, procedural and technical security with respect to its offices and information storage facilities so as to prevent any loss, misuse, unauthorized access, disclosure, or modification of personal information collected and retained. As part of these precautions, Execulink will restrict access to personal information to those employees or third parties that require access to the information in order to fulfill our responsibilities in providing the Services to our Customers. As a condition of their employment, our employees with access to personal information are required to agree, in writing, to respect the confidentiality of personal information. If an employee misuses the personal information to which he or she has access, this will be considered a serious offence. In the case of an employee, disciplinary action will be taken which, depending upon the degree of misuse, may include termination of employment.

**Principle #8: Openness**

Execulink pursues a policy of openness about the procedures it uses to manage personal information. Execulink will make specific information about our policies and practices relating to the management of personal information available through the Privacy Officer.

**Principle #9: Access to Personal information**

Execulink will inform its customers of the existence, use and disclosure of their personal information upon request and provide access to that information. Our customers are able to challenge the accuracy and completeness of personal information and have it amended as appropriate. In certain exceptional situations, Execulink may not be able to provide the Customer with access to all of the personal information Execulink holds. Exceptions may include information that contains references to other individuals. Customers can obtain information or seek access to their individual Customer records by contacting our designated Privacy Officer.

**Principle #10: Challenging Compliance**

A Customer has the right to challenge our compliance with the above principles by contacting the Privacy Officer accountable for our compliance with the policy. Execulink maintains strict procedures for addressing and responding to all inquiries or complaints from its customers about its handling of personal information. Execulink informs our customers about our privacy practices as well as availability of complaint procedures, if necessary. Our Privacy Officer will investigate all complaints concerning compliance with the privacy policy. If a complaint is found to be justified, Execulink will take appropriate measures to resolve the complaint including the amendment of our policies and procedures. In

exceptional circumstances, the Privacy Officer in compliance with our privacy policy may seek external legal advice where appropriate before providing a final response to individual complaints. If complainants are not satisfied with the response from our Privacy Officer they have the right to register their complaint with the Office of the Privacy Commissioner of Canada.

Execulink relies on these ten principles to protect the Personal Information collected from its' Customers, Employees and Web Site Users. Execulink has established its Privacy Policy in accordance with *The Personal Information Protection and Electronic Documents Act*.

## **2 - Definitions**

Definitions in this Privacy Policy are consistent with the definitions used in the Terms of Service. Refer to the Definitions Section of the Terms of Service for specific definitions.

## **3 - Frequently Asked Questions**

### **3.1 What type of Personal Information does Execulink collect?**

3.1.1 The Personal Information most often collected and maintained in the Customer's file may include (but is not limited to) name, address for service, mailing address, phone number(s), a piece of acceptable identification, alternate contact information, banking information for payment, non-Execulink email address if the Customer receives an electronic invoice and requests for service and enquiries.

3.1.2 The Personal Information most often collected and maintained in the Employee's file may include (but is not limited to) name, address, phone number(s), emergency contact information, date of birth, Social Insurance number, banking information, past employment information, earnings information, performance reviews/letters, dependant and beneficiary information.

3.1.3 The Personal Information most often collected in relation to Web Site Users may include (but is not limited to) name, phone number, and email address.

### **3.2 Why does Execulink collect Personal Information?**

3.2.1 Execulink collects Customer's Personal Information for the following purposes, to:

1. establish and maintain a responsible commercial relationship with the Customer;
2. understand the Customer's needs and the Customer's eligibility for products and services;
3. recommend particular products, services and opportunities to the Customer;
4. develop, enhance and market products and service and/or provide products and services to Customers;

5. process billing and collection of the fees for the Execulink products and services the Customer has purchased and/or subscribed to;
6. perform credit checks, if deemed necessary by Execulink;
7. deliver products and/or services to Customers; and
8. meet Execulink's legal and regulatory requirements.

3.2.2 Execulink collects Employee's Personal Information for the following purposes, to:

1. administer payroll and benefits;
2. administer personnel and employment programs;
3. document an Employee's file in the normal course of the employment relationship (i.e. performance reviews, etc.); and
4. provide references regarding current or former employees in response to requests from prospective employers.

3.2.3 Execulink collects Web Site User's Personal Information for purposes generally identified at the time of collection. These purposes may include to:

1. send the Customer information and updates and to address Customer requests, or answer Customer questions;
2. register the Customer's participation in a contest;
3. register the Customer in an encrypted secure zone; and
4. assess a job application.

Use of Cookies: During a Customer's interaction with one of Execulink's Internet sites, Execulink may use a browser feature called a "cookie" to collect information anonymously and track user patterns on Execulink's Web sites. A cookie is a small text file containing a unique identification number that identifies a Customer's browser – but not the Customer himself or herself – to Execulink's computers each time a Customer visits one of the Execulink Web sites using cookies. Cookies tell Execulink which pages of its sites are visited and how many people visited each web page. This helps Execulink to enhance the on-line experience of visitors to the Execulink Web sites. Cookies also serve to identify the Customer's computer so that the Customer's preferences can be saved for future visits.

When Execulink chooses to use Personal Information for a purpose not previously identified, Execulink will identify the new use. Unless such new use is required by law, the Consent of the Customer, Employee or Web Site User is required before the Personal Information can be used for that new purpose.

### **3.3 How does Execulink obtain the Customer's consent?**

Consent is required for the collection of Personal Information and the subsequent use or disclosure of the Personal Information. Consent can be either expressed or implied. The form of consent sought by Execulink may vary, depending upon the circumstances and

the type of Personal Information. In determining the form of consent to use, Execulink takes into account the sensitivity of the information and the reasonable expectations of the Customer, Employee or Web Site User. Execulink generally seeks express consent when the Personal Information is likely to be considered sensitive. Implied consent is typically appropriate when the Personal Information is less sensitive.

In exceptional circumstances, as permitted by law, Execulink may collect, use or disclose Personal Information without a Customer's, Employee's or Web Site User's knowledge or consent.

In general, the use of products and services by a Customer, or a Web Site User, or the acceptance of employment or benefits by an Employee, will constitute implied consent required by Execulink to collect, use and/or disclose Personal Information for the purposes identified in this Privacy Policy.

Consent may be withdrawn by Customers and Web Site Users at any time, subject to legal or contractual restrictions and upon providing Execulink reasonable notice. If the Customer wishes to withdraw consent to certain collection, use or disclosure of Personal Information, please contact Execulink at [privacyofficer@execulink.com](mailto:privacyofficer@execulink.com).

### **3.4 When and how does Execulink disclose Personal Information?**

Internally, only Execulink's employees with a need to know, or whose duties reasonably so require, are granted access to Personal Information of Execulink's Customers and employees.

3.4.1 When disclosing a Customer's Personal Information, Execulink applies the following Customer Confidentiality Provisions derived from the Canadian Radio-television and Telecommunications Commission's ("CRTC") Decision 2009-723:

Unless a Customer provides express consent or disclosure is pursuant to a legal power, all information kept by Execulink regarding the Customer, other than the Customer's name, address, and listed telephone number, is confidential and may not be disclosed by the company to anyone other than

- a. the Customer;
- b. a person who, in the reasonable judgment of Execulink, is seeking the information as an agent of the Customer;
- c. another telephone company, provided the information is required for the efficient and cost-effective provision of telephone service and disclosure is made on a confidential basis with the information to be used only for that purpose;
- d. a company involved in supplying the Customer with telephone or telephone directory related services, provided the information is required for that purpose and disclosure is made on a confidential basis with the information to be used only for that purpose;

- e. an agent retained by Execulink in the collection of the Customer's account, provided the information is required for and is to be used only for that purpose;
- f. a public authority or agent of a public authority, for emergency public alerting purposes, if a public authority has determined that there is an imminent or unfolding danger that threatens the life, health or security of an individual and that the danger could be avoided or minimized by disclosure of information; or
- g. an affiliate involved in supplying the Customer with telecommunications and/or broadcasting services, provided the information is required for that purpose and disclosure is made on a confidential basis with the information to be used only for that purpose.

3.4.2 Execulink may disclose Personal Information about its Employees to:

- a. a third party or parties for payroll and benefits administration;
- b. a third party or parties to administer personnel and employment programs;
- c. a person or a company in the context of providing references regarding current or former employees in response to requests from prospective employers; and
- d. a third party or parties, where the Employee has given Execulink consent to such disclosure or if disclosure is required by law, particularly in accordance with *The Personal Information Protection and Electronic Documents Act*.

3.4.3 Execulink may disclose Personal Information about Web Site Users to:

- a. a third party or parties, where the Web Site User has given Execulink consent to such disclosure or if disclosure is required by law, in accordance with *The Personal Information Protection and Electronic Documents Act*.

### **3.5 Who does Execulink share Personal Information with?**

Execulink does not sell Personal Information about its Customers, Employees and/or Web Site Users. Execulink may share a Customer's Personal Information with its partners, associates and third party service providers in order to fulfill the purposes identified in Subsection 3.1. In such cases, the relationship with the partner, associate or third party is governed by strict confidentiality standards and policies to ensure the Customer's information is secure and treated in accordance with *The Personal Information Protection and Electronic Documents Act* and with the utmost care and respect.

### **3.6 How does Execulink safeguard the Customer's Personal Information?**

The nature of the safeguards will vary depending on the sensitivity of the Personal Information that has been collected, the scope of the information, and the method of

storage of that information. More sensitive types of Personal Information will be safeguarded by a higher level of protection.

### **3.7 How are Execulink's policies and procedures accessed?**

Execulink will be open about its policies and procedures with respect to the management of Personal Information. Customers, Employees and Web Site Users will be able to enquire about Execulink's privacy policies and procedures at minimal cost and without unreasonable efforts on their part. This information is available to Customers, Employees and Web Site users by writing to Execulink, to the attention of the Privacy Officer at 1127 Ridgeway Rd., Woodstock, ON N4V 1E3.

### **3.8 How is Personal Information accessed?**

Personal Information held by Execulink may be accessed by submitting a request in writing to Execulink's Privacy Officer at 1127 Ridgeway Rd., Woodstock, ON N4V 1E3. A response will be mailed to the address on the account or file.

Execulink will respond to a Customer, Employee or Web Site User's request within a reasonable period of time and at minimal or no cost.

In certain circumstances, Execulink may not be able to provide access to all the Personal Information it holds, for example, when the disclosure would reveal confidential business information, if the Personal Information is protected by solicitor-client privilege, or if the Personal Information was collected during an inquiry into a breach of contract or violation of a federal or provincial law.

### **3.9 How can I challenge compliance and offer suggestions?**

A Customer or Employee of Execulink may direct any questions or inquires with respect to the privacy principles outlined above or about Execulink's practices described in its' Privacy Policy to [privacyofficer@execulink.com](mailto:privacyofficer@execulink.com) or to Execulink's Privacy Officer at 1127 Ridgeway Rd., Woodstock, ON N4V 1E3.

Execulink will investigate all complaints and respond to all questions asked by its Customers and/or employees. If a complaint is found to be justified, Execulink will take appropriate measures to resolve the complaint, which may include amending its policies and procedures if necessary.

If Customers are not satisfied with Execulink's response to a complaint or inquires about compliant procedures they may contact the office of the Privacy Commissioner of Canada, at:

Toll-free: 1-800-282-1376

Phone: (613) 995-8210

Fax: (613) 947-6850

## **4 - The Customer's role in protecting Personal Information:**



Please remember that Execulink's Privacy Policy and our use of the Customer's Personal Information only applies to the information the Customer provides to Execulink. In this regard, Execulink cautions that if the Customer discloses Personal Information or personally-sensitive data through use of the Internet such as through web sites, chat rooms, communities, bulletin boards or other public online forums, this information is not collected by or for Execulink but may be collected and used by other persons or companies over which Execulink has no control. It is the Customer's responsibility to review the privacy statements of any person or company to whom the Customer chooses to link, from or through the use of any Execulink Internet Services. Execulink is not responsible for privacy statements or compliance or other content of any Web site not owned or managed by Execulink.

Execulink does its best to protect and safeguard Personal Information, and Execulink believes there are measures that the Customer should take as well. Do not share Personal Information such as bank card numbers, credit card numbers, associated pin numbers or Social Insurance numbers with others unless the Customer clearly understands the purpose of their request and knows with whom the Customer is dealing. Do not keep sensitive Personal Information in the Customer's email inbox or on Webmail. Provide Execulink with one acceptable piece of identification that will be kept in the Customer's file, so Execulink can identify the Customer when calling. If the Customer is asked to assign passwords to connect the Customer's Personal Information, the Customer should use a combination of letters and numbers and should not use words that can be easily associated with the Customer (example: do not use the name of a family member or pet), Execulink also suggests that the Customer change passwords regularly. If ever the Customer is suspicious of any telephone, mail or email promotional campaigns or the Customer suspects fraudulent activity, please contact us at [privacyofficer@execulink.com](mailto:privacyofficer@execulink.com) to verify that the campaign is a legitimate Execulink activity.