



## **PHAIRIFY PRIVACY POLICY**

**Effective Date: 1 September 2020**

**Last Updated: 1 September 2020**

This Privacy Policy describes the privacy practices for Phairify, an online professional services platform available at [www.phairify.com](http://www.phairify.com), (the “Services”) as operated by Phairify, Inc. (“Phairify,” “we,” “our,” “us”), and applies solely to the Personal Information (as defined below in Section III) that we collect and use relating to users residing in the United States.

Phairify is only meant for persons in the United States. Phairify does not intend to offer goods and services to persons outside the United States, including in the EEA/European Union.

**By using the website and/or the Services and providing us with your Personal Information, you agree to the practices described in this Privacy Policy and our Terms of Use referenced below and to the updates to these policies posted here from time to time. To make sure you stay informed of all changes, you should check these policies periodically. Updates will be referenced by the “Last Updated” date shown above.**

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## **I. INTRODUCTION**

Phairify is an online platform for medical professionals and hospitals and practices based in the United States. Phairify seeks to provide medical professionals and hospitals and practices with physician value information and other aggregated analysis for use by them in their career and business planning purposes.

This Privacy Policy applies when you use our Services (described below) and describes, among other things, the types of information we collect about you when you visit and use our website, how we use it, and how you can access your information.

We offer our users choices about the Information we collect, use, and share as described in this Privacy Policy, Settings and our Help Center.

## **II. OUR SERVICES**

People use our Services to gain professional insights and evaluate career and business opportunities in the medical field and hospitals and practices use our Services to assess compensation practices and identify and source healthcare professionals. Our Privacy Policy applies to any use of our Services.

Our registered users (“Members”) may share certain information with us, including their professional titles, educational background, compensation level, regional location, as described more fully below, to personalize Phairify for their use and to maximize the usefulness of our Services to them.

The content and information on some of our Services may also be viewable to non-members (“Visitors”).

### **A. Services**

This Privacy Policy applies to your use of our Services. As used here, Services means access and use of our Phairify application, which provides physician valuation information, filtering and personalized benchmarking of that information and assessment of and connection to work opportunities.

### **B. Changes to Privacy Policy**

Changes to the Privacy Policy apply to your use of our Services after the “effective date.”

We can modify this Privacy Policy, and if we make material changes to it, we will provide notice through our Services, or by other means, to provide you the opportunity to review the changes before they become effective. If you object to any changes, you may close your account.



You acknowledge that your continued use of our Services after we publish or send a notice about our changes to this Privacy Policy means that the collection, use, and sharing of your Personal Information is subject to the updated Privacy Policy, as of its effective date.

### **III. INFORMATION COLLECTED**

We may collect the following types of information about you which are described in more detail below: (A) information you provide to us, (B) information we may automatically collect, and (C) information we may receive from third parties. All of the information listed in (A)-(C) above, is detailed below, and hereinafter referred to as “Information.”

#### **A. Information You Provide To Us:**

You may provide Information to create an account with us and/or to use our Services.

##### **1. Registration**

To create an account, you need to provide Information including your email address, account username and password. If you register for a Data Access or Talent Platform Service, you may also need to provide payment (e.g., credit card) and billing information.

##### **2. Employment Information**

You have choices about the Information you provide to us, such as your job title, specialty, employment type, years in practice, compensation, compensation method, employment benefits, retirement benefits, practice type and functions, hospital/practice revenue, demographics served. This Information may be provided by you in response to survey questions, as part of the registration process, or at other times.

##### **3. Educational Information**

You have choices about the Information you provide to us, such as your degree type and graduation year. This Information may be provided by you in response to survey questions, as part of the registration process, or at other times.

##### **4. Demographic Information**

We may also collect certain Information regarding your demographics, such as your zip code, age, gender, and self-described ethnic identification. This Information may be provided by you in response to survey questions, as part of the registration process, or at other times. In general, we aggregate the Information you provide to us to provide you and others with the Services.

##### **5. User Generated Content**

We may collect user-generated content, e.g., your communications and opinions in messaging boards or chat rooms, forums, surveys, polls, or in response to online forms, or any feedback or testimonials you provide about our Service.



## **6. Communications with Recruiters or Third Parties**

We may also collect any in-Service communications that you have with recruiters, other members, or third-party entities on our site, including but not limited to in-Service communications regarding job opportunities, and information surrounding those messages such as the date/time of the communication, and your location as determined by your area code.

## **7. Additional Information**

We may collect additional Information from you, the collection of which will be described to you at the point of collection or pursuant to your consent.

### **B. Information We May Automatically Collect About You:**

#### **1. Cookies and Similar Technologies Used To Collect Information**

We collect the above Information directly and through the use of third parties. We collect this Information by using certain technologies, such as cookies, flash cookies, application program interfaces, web beacons, pixels, tags, and other technologies. Definitions for some of the tracking technologies listed are available below.

a. Cookies (or browser cookies). We use cookies to increase the functionality and your ease of use with our Services. A cookie is a piece of data stored on your hard drive that contains information about your computer and Internet use. To enhance your experience, cookies may be used to track and target your interests. You can always choose to not accept cookies. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our website. If you choose not to accept cookies, you may still browse our Services, however you will be unable to order or have access to all our Services.

b. Web Beacons. Website pages may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count users who have visited those pages and for other related statistics (e.g., recording the popularity of certain content and verifying system and server integrity). We also use these technical methods to analyze the traffic patterns, such as the frequency with which our users visit various parts of the Services. These technical methods may involve the transmission of Information either directly to us or to a third party authorized by us to collect Information on our behalf. Our Services use retargeting pixels from Google, Facebook and other ad networks. We also use web beacons in HTML emails that we send to determine whether the recipients have opened those emails and/or clicked on links in those emails.

c. Embedded Scripts. An embedded script is programming code designed to collect Information about your use of the website included in our Services, such as the links you click on. The code is temporarily downloaded to your computer from our web server or a third-party provider, is active only while you are connected to the website and is deactivated or deleted once you leave the website.



d. **Analytics.** We use tools such as Google Analytics, a web analytics tool provided by Google that helps websites and online services collect and analyze information about how visitors use and interact with their sites and services, and based on Information collected and analyzed through Google Analytics websites and online services can measure the performance of and make improvements to their sites and services. Google Analytics uses first-party cookies to track visitor interactions on our website and to collect information about how visitors use the website. We use the information collected through Google Analytics to help us understand the demographics, usage patterns and interests, trends, etc. about visitors to the website. Google Analytics collects and reports usage information anonymously without identifying any particular visitor individually. Google's ability to use and share information collected by Google Analytics about your visits to the website is subject to the Google Analytics Terms of Use published at <http://www.google.com/analytics/terms/us.html> and the Google Privacy Policy published at <http://www.google.com/intl/en/policies/privacy/>. Disabling cookies on your browser may be able to prevent Google Analytics from recognizing you on return visits to the website. Google also offers a browser add-on for users to install to opt out.

## **2. Your Device and Location**

We receive Information from your devices and networks, including certain location information.

When you visit or leave our Services (including some plugins and our cookies or similar technology on the sites of others), we receive the URL of both the site you came from and the one you go to and the time of your visit. We also get Information about your network and device (e.g., IP address, proxy server, operating system, web browser and add-ons, device identifier and features, cookie IDs and/or ISP, or your mobile carrier). If you use our Services from a mobile device, that device will send us Information about your location based on your phone settings. We will ask you to opt-in before we use GPS or other tools to identify your precise location.

## **3. Service Use**

We log your visits and use of our Services.

We log usage information when you visit or otherwise use our Services. We use logins, cookies, device information and internet protocol ("IP") addresses which may identify you and log your use.

## **C. Information We May Receive From Third Parties:**

### **1. Partners**

We receive Personal Information (e.g., your work email address) about you from our partners, including the Medical Specialty Societies with which we partner to provide our Services as a member benefit, and of which you may be a member.



## 2. Messages

Our platform allows you to communicate in-Service with us, recruiters, and other third parties about the Services, and about business and career opportunities. It is your choice to provide Information that may be shared with recruiters or third parties, and you control whether or not you communicate directly with these persons. If you choose to communicate through our Services, we may learn about that.

We collect Information about you when you send, receive, or engage with messages in connection with our Services.

We may also use automatic scanning technology on messages to support and protect our site.

## 3. Other

Our Services are dynamic, and we often introduce new features, which may require the collection of new Information. If we collect materially different personal Information or materially change how we collect, use or share your Information, we will notify you and may also modify this Privacy Policy.

## IV. HOW WE USE YOUR INFORMATION

We use your Information to provide, support, personalize and develop our Services.

### A. Services

Our Services help you stay informed about compensation trends in your field, and help you find or be found for work and business opportunities.

We may use your Information to authorize access to our Services and provide you with the Services. We may also aggregate your Information to conduct compensation or professional analyses, which may be shared with third parties.

**Compensation Charts.** Our Services allow you access to detailed compensation charts that are prepared based on aggregate user information, survey responses and other information. Our compensation charts are proprietary and confidential and intended for use only by our Members.

**Career Opportunities.** Our Services allow you to explore career opportunities and seek out, and be found for, career opportunities based on the Information you have provided. Specifically, in-Service you may signal that you are interested in learning about job opportunities, and you may share Information and communicate with recruiters. Recruiters may then use your Information to contact you at your Phairify inbox, to recommend jobs to you or to assist in your career development. By using our Services, you expressly consent to this contact.

Our Services also allow hospitals, practices and recruiters to assess the composition of job opportunities based on aggregated data distilled from the Information provided by you and other



users of the Services. Hospitals, practices and recruiters may then publish those job opportunities on the platform for your consideration.

We may also use your Information to maintain, improve, customize, or administer the Services, perform business analyses, or other internal purposes to improve the quality of our business, the Services, or to resolve technical problems, or improve security or develop other products and services.

## **B. Communications**

We may contact you in-Service and at the contact Information you provided. We offer settings to control what messages you receive and how often you receive some types of messages.

We will contact you through email, mobile phone, notices posted on the website, messages to your Phairify inbox, and other ways through our Services, including text messages and push notifications if a mobile phone number is provided by you. We will send you messages about the availability of our Services, security, or other service-related issues. We also send messages about how to use our Services, network updates, reminders, job suggestions and promotional messages from us. You may change your communication preferences at any time. Please be aware that you cannot opt out of receiving service messages from us, including security and legal notices.

We also enable communications between you and others through our Services, including for example, invitations and messages between you and recruiters.

## **C. Marketing**

We promote our Services to you and others to analyze the use of the Services and Information about visitors to our website to understand and improve our offerings and, in accordance with our sharing policies discussed below, to produce anonymous or aggregated data and statistics that might help third parties develop their own products and service offerings, and to customize the content you see when you visit the website.

We may use Member Information and content that has been aggregated, anonymized or de-identified for invitations and communications promoting membership in Phairify and engagement with our Services.

## **D. Developing Services and Research**

We develop our Services and conduct research to make those Services more useful to you.

**Surveys.** Polls and surveys are conducted by us through our Services. You are not obligated to respond to polls or surveys, and you have choices about the Information you provide. You may opt-out of survey invitations. We use Information provided to us in response to Surveys to provide the Services, including the proprietary Compensation Charts and other analyses.



**Service Development.** We use Information, including feedback, to conduct research and development for our Services in order to provide you and others with a better experience and to drive membership growth.

**Other Research.** We use the Personal Information available to us to research social, economic and workplace trends, such as jobs availability and industry compensation and geographic or other employment trends. We use and publish our insights, included as presented by and through the Compensation Charts or to third parties, as aggregated or de-identified information rather than personal Information.

#### **E. Customer Support**

We use Information to help you and fix problems.

We use Information (which can include your communications) to investigate, respond to, and resolve complaints and for Service issues (e.g., bugs).

#### **F. Insights That Do Not Identify You**

We use Information to generate insights that do not identify you. This may be done through aggregation, pseudonymization and/or de-identification. For example, we may use your Information to generate statistics about our members and their industry or create demographic workforce insights.

#### **G. Security and Investigations**

We use Information for security, fraud prevention and investigations.

We use your Information (including your communications) for security purposes or to prevent or investigate possible fraud or other violations of our Terms of Use and/or attempts to harm our Members, Visitors, or others.

### **V. HOW WE SHARE INFORMATION**

#### **A. Our Services**

Any Information that you include on your profile and any content you share may be used by us on an aggregated, de-identified basis to provide the Services.

We may also share your Information with third parties as indicated by your settings and described below. If you have additional questions about how we share your information, please contact us at [privacy@phairify.com](mailto:privacy@phairify.com).

**Recruiter Accounts.** Subject to your preferences, you may use in-Service settings to signal that you want certain of your Information to be available to recruiters, recruiter accounts, or third parties working with recruiters.





**Employers.** We may share aggregated, de-identified, or pseudonymized Information and analyses with employers in the medical and medical-adjacent industries. Subject to your preferences, we may share certain of your Information with employers in the medical and medical-adjacent industries. For example, you may indicate a preference for a job opportunity in a specific geography at a specific compensation amount. We may make that preference information available on the platform independent of any connection to your Information for employers to assess; interested employers would be able to contact that preference profile which, in turn, would trigger a notice to your Phairify inbox.

**Medical Specialty Societies.** We may share aggregated, de-identified or pseudonymized Information and analyses with Medical Specialty Societies.

### **B. Our Affiliates and Partners**

We will share your Personal Information with our affiliates to provide and develop our Services. We may combine Information internally to help our Services be more relevant and useful to you and others. For example, we may personalize job recommendations based on your learning history, geographic region or specialty.

### **C. Service Providers**

We may use others to help us with our Services.

We use others to help us provide our Services (e.g., maintenance, analysis, audit, payments, fraud detection, marketing, and development). They will have access to your Information as reasonably necessary to perform these tasks on our behalf and are obligated not to disclose or use it for other purposes.

### **D. Legal Disclosures**

We may need to share your Information when we believe it is required by law or to help protect the rights and safety of you, us, or others.

It is possible that we will need to disclose Information about you when required by law, subpoena, or other legal process or if we have a good faith belief that disclosure is reasonably necessary to (1) investigate, prevent or take action regarding suspected or actual illegal activities or to assist government enforcement agencies; (2) enforce our agreements with you; (3) investigate and defend ourselves against any third-party claims or allegations; (4) protect the security or integrity of our Services (such as by sharing with companies facing similar threats); or (5) exercise or protect the rights and safety of Phairify, Inc., our Members, personnel, or others. We attempt to notify Members about legal demands for their Personal Information when appropriate in our judgment, unless prohibited by law or court order or when the request is an emergency. We may dispute such demands when we believe, in our discretion, that the requests are overbroad, vague, or lack proper authority, but we do not promise to challenge every demand.



### **E. Change in Control or Sale**

We may share your Information when our business is sold to others, but it must continue to be used in accordance with this Privacy Policy.

We can also share your Personal Information as part of a sale, merger or change in control, or in preparation for any of these events. Any other entity which buys us, or part of our business, will have the right to continue to use your Information.

## **VI. ACCESSING, CORRECTING, OR DELETING YOUR PERSONAL INFORMATION**

### **A. Information Retention**

We keep most of your Personal Information for as long as your account is open.

We generally retain your Personal Information as long as you keep your account open or as needed to provide you Services. This includes Information you provided to us and Information generated or inferred from your use of our Services. We will retain your Information and keep your profile open unless you close your account. We may choose to retain Information in aggregate, de-identified, or pseudonymized form, and will not delete any such Information as included in Phairify analyses or insights.

### **B. Rights to Access and Control Your Personal Information**

If required by applicable laws of the state in which you reside, and subject to any permitted exceptions and limitations, we will comply with any verified consumer request you submit with respect to your Personal Information, as that term is defined under any applicable state law. For Personal Information that we have about you, this means you can:

- **Delete Information:** You can ask us to erase or delete all or some of your Personal Information (e.g., if it is no longer necessary to provide Services to you).
- **Change or Correct Information:** You can edit some of your Personal Information through your account. You can also ask us to change, update or fix your Information in certain cases, particularly if it is inaccurate.
- **Object to, or Limit or Restrict, Use of Information:** You can ask us to stop using all or some of your Personal Information (e.g., if we have no legal right to keep using it) or to limit our use of it (e.g., not to share your Personal Information with others, where such sharing constitutes a “sale” under applicable state information privacy laws).



- **Right to Access and/or Take Your Information:** You can ask us for a copy of your Personal Information and can ask for a copy of Personal Information you provided in machine readable form.

You can learn more about how to make these requests here. You may also contact us using the contact information below, and we will consider your request in accordance with applicable laws.

### **C. Account Closure**

We keep some of your Information even after you close your account.

If you choose to close your Phairify account, your personal Information will be deleted within thirty (30) days of account closure, except as noted below.

We retain your Personal Information even after you have closed your account if reasonably necessary to comply with our legal obligations (including law enforcement requests), meet regulatory requirements, resolve disputes, maintain security, prevent fraud and abuse, enforce our Terms of Use. We will retain de-identified, aggregated or pseudonymized Information after your account has been closed.

## **VII. EXERCISING YOUR RIGHTS**

### **A. Verified Requests**

To the extent required by applicable law, we will honor your request to exercise the rights described above. You may exercise the rights described above by submitting a verifiable consumer request to us to [privacy@phairify.com](mailto:privacy@phairify.com).

The verifiable consumer request must provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative. This means that in making a request you may be required to: **provide your email and phone number, member information, and/or account sign-up authentication or other Information needed to verify your identity depending on the sensitivity of the Information that is the subject of the request.**

We cannot respond to your request or provide you with your Information if we cannot verify your identity or authority to make the request and confirm the Information relates to you. If we are unable to verify your identity, we reserve the right to deny the request.

Making a verifiable consumer request does not require you to create an account with us. We will only use Information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

If you choose to use an authorized agent to submit a request to know or a request to delete your Information, we may require that you: (1) provide the authorized agent written permission to do



so; and (2) verify your own identity directly with us. We may deny a request from an agent that does not submit proof that they have been authorized by you to act on your behalf. We may also deny a request from an agent that does not meet the requirements for authorized agents under the applicable privacy law.

Once we have verified your identity (and your authorized agent, as applicable), we will respond to your request as appropriate. To the extent permitted by applicable law, we may charge a reasonable fee to comply with your request. If we are unable to complete your request in whole or in part, we will let you know why.

## **B. Timing**

We use good faith efforts to respond to a verifiable consumer request within forty-five (45) days after its receipt. If we need more time (up to 90 days), we will inform you of the reason and the needed extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by email.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. If we cannot comply with any portion of a request, the response we provide will also explain why, if applicable. For information portability requests, we will select a commercially reasonable format to provide your Information that is commonly useable and should allow you to transmit the Information from one entity to another entity without hindrance, but we do not guarantee that all formats are useable in all media. We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

## **VIII. DO NOT SELL MY PERSONAL INFORMATION**

Certain state laws, such as the California Consumer Privacy Act (CCPA) may require that we provide you with a means to opt out of the "sale" of your Information, to the extent that Information constitutes Personal Information as that term is defined under the CCPA. The definition of "sale" in the CCPA is broadly defined, and may apply even where we have not received any money in exchange for the Information provided.

To the extent required by applicable laws, we will honor opt-out requests when you submit a "Do Not Sell" request to [privacy@phairify.com](mailto:privacy@phairify.com).

## **IX. SECURITY**

We use technical, administrative and physical safeguards to help safeguard your Information, but we cannot guarantee its absolute security. You should assume that no Information transmitted over the Internet or stored or maintained by us or our third-party service providers can be 100% secure. Therefore, although we believe the measures implemented by us reduce the likelihood of



security problems to a level appropriate to the type of Information involved, we do not promise or guarantee, and you should not expect, that your Information or private communications will always remain private or secure. We do not guarantee that your Information will not be misused by third parties. We are not responsible for the circumvention of any privacy settings or security features.

We implement security safeguards designed to protect your Information. However, we cannot warrant the security of any Information that you send us. There is no guarantee that Information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards.

## **X. DIRECT MARKETING AND DO NOT TRACK SIGNALS**

We currently do not share Personal Information with third parties for their direct marketing purposes without your permission.

Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. We are committed to providing you with meaningful choices about the Information collected on our website for online advertising and analytics purposes, however, we do not currently recognize or respond to browser initiated DNT signals.

## **XI. OUR RIGHT TO CONTACT YOU**

By providing Information to us, including your phone number or email address, you agree that we may contact you, or initiate communication with you on behalf of a third-party marketing partner or vendor, by way of text, newsletter, email, or telephone and you agree to us contacting you in these matters concerning our website or related Services or targeted information for which we believe you may be interested, including based on your responses to survey questions and other inquiries.

If you change your mind and do not wish to receive such communications, we provide customers with the opportunity to opt-out of receiving communications from us.

## **XII. THIRD-PARTY LINKS**

Our Services may contain links to third-party websites, resources, vendors, and advertisers. These third parties are not associated with Phairify. We do not control (and are not responsible for) third-party content or privacy practices. Any Personal Information you provide to them is not covered by this Privacy Policy. Links to third-party websites or content do not constitute or imply an endorsement or recommendation by us as to the linked website, platform, or content.

Additionally, the Services may integrate third-party advertising technologies that allow for the delivery of relevant content and advertising on the website, as well as on other websites you visit and other applications you use. The ads may be based on various factors such as the content of the page you are visiting, your searches, demographic information, user-generated content, your responses to survey questions, and other Information we collect from you. These ads may be



based on your current activity or your activity over time and across other websites and online services and may be tailored to your interests.

### **XIII. AGGREGATE AND DE-IDENTIFIED INFORMATION**

We may aggregate and/or de-identify any Information collected through the Services so that such Information can no longer be linked to you or your device (“Aggregate/De-Identified Information”). We may use Aggregate/De-Identified Information for any purpose, including without limitation for analyses, informational research, marketing purposes, and may also share such information with any third parties, including industry groups, employers, advertisers, promotional partners, and sponsors, in our discretion.

### **XIV. CHILDREN’S ONLINE PRIVACY INFORMATION**

The websites and Services are not intended for use by children under the age of 13. In addition, we do not knowingly collect Information from children under the age of 13.

If you have reason to believe that a child under the age of 13 has provided Personal Information, “Contact Us” below with sufficient detail to enable us to delete that Information from our information bases.

### **XV. ACCESSIBILITY**

If you experience any difficulty in accessing any part of this website or this Policy, please feel free to email us at: [privacy@phairify.com](mailto:privacy@phairify.com) and we will work with you to provide the information, item, or transaction you seek through an alternate communication method or that is accessible for you consistent with applicable law (for example, through telephone support).

### **XVI. CONTACT US**

You can contact us or use other options to resolve any complaints.

If you have any questions or comments about this Privacy Policy, the ways in which we collect and use your information described here, your choices and rights regarding such use, to fill out an Information or Deletion Request or a ‘Do Not Sell My Personal Information’ request, or for additional information, please contact us at [privacy@phairify.com](mailto:privacy@phairify.com).