



## Mobile Messaging Terms and Conditions

Last updated: 11/08/23

Qwalifize LLC (“Qwalifize”, “we”, or “us”) operates a program (the “Program”) which includes mobile messaging subject to these Mobile Messaging Terms and Conditions (the “Mobile Messaging Terms”). The Program and our collection and use of your personal information is also subject to our Privacy Policy and our general terms of use agreement. By enrolling, signing up, or otherwise agreeing to participate/communicate with Qwalifize and our Program, you accept and agree to these Mobile Messaging Terms and our Privacy Policy and our general terms of use agreement.

- 1. Program Description:** We may send promotional and transactional mobile messages in various formats through the Program. Promotional messages advertise and promote our products and services and may include job opportunities, staffing opportunities, promotions, specials, other marketing offers, and abandoned checkout reminders. Transactional messages relate to an existing or ongoing transaction and may include interview reminders, new job notifications and updates, appointment reminders, and other transaction-related information. Mobile messages may be sent using an automated technology, including an autodialer, automated system, or automatic telephone dialing system. Message frequency will vary. You agree that we, our affiliates, and any third-party service providers may send you messages regarding the foregoing topics or any topic and that such messages and/or calls may be made or placed using different telephone numbers or short codes. We do not charge for mobile messages sent through the Program but you are responsible for any message and data rates imposed by your mobile provider, as standard data and message rates may apply for SMS and MMS alerts.
- 2. User Opt-In:** By providing your mobile phone number to us, you are voluntarily opting in to the Program and you agree to receive recurring mobile messages from us at the mobile phone number associated with your opt-in, even if such number is registered on any state or federal “Do Not Call” list. You agree that any mobile phone number you provide to us is a

valid mobile phone number of which you are the owner or authorized user. If you change your mobile phone number or are no longer the owner or authorized user of the mobile phone number, you agree to promptly notify us at info@qwalifize.com or at (407) 505-0026. Your participation in the Program is not required to make any purchase from us and your participation in the Program is completely voluntary.

3. **User Opt-Out and Support:** You may opt-out of the Program at any time. If you wish to opt-out of the Program and stop receiving mobile messages from us, or you no longer agree to these Mobile Messaging Terms, reply **STOP, QUIT, CANCEL, OPT-OUT**, and/or **UNSUBSCRIBE** to any mobile message from us. You may continue to receive text messages for a short period while we process your request and you may receive a one-time opt-out confirmation message. You understand and agree that the foregoing is the only reasonable method of opting out. For support, reply **HELP** to any mobile message from us. Our mobile messaging platform may not recognize requests that modify the foregoing commands, and you agree that we and our service providers will not be liable for failing to honor requests that do not comply with the requirements in these Mobile Messaging Terms. We may also change the telephone number or short code we use to operate the Program and we will notify you of any such change. You acknowledge that any requests sent to a telephone number or short code that has been changed may not be received by us and we will not be responsible for failing to honor a request sent to a telephone number or short code that has been changed.
4. **Disclaimer of Warranty and Liability:** The Program is offered on an “as-is” basis and may not be available in all areas, at all times, or on all mobile providers. You agree that neither we nor our service providers will be liable for any failed, delayed, or misdirected delivery of any mobile message or information sent through the Program.
5. **Modifications:** We may modify or cancel the Program or any of its features at any time, with or without notice. To the extent permitted by applicable law, we may also modify these Mobile Messaging Terms at any time. Any such modification will take effect when it is posted to our website. You agree to review these Mobile Messaging Terms periodically to ensure that you are aware of any modifications. Your continued participation in the Program will constitute your acceptance of those modifications.

## Privacy Policy

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- We collect information and or personal information that:
  - you provide to us directly, including contact information, such as first name, last name, e-mail address, country, telephone number, job title and company name, when you use our contact form (“Connet”); or
  - when you use our online portal for candidates, or any contact form like for a given contest or activity. These contact forms may be regulated for a specific Privacy Information Statement what will be accessible in the relevant webpage to inform you about the “what” and “how” we process your personal information; or
  - when contacting us whatever the way you do it (email, post, etc.); or when you sign up to receive our newsletters or our latest news, developments and research, or via any similar form; or
  - when you phone us then, we will process your phone number and other information you may provide in relation to your request; or
  - as well as other information that could be on your business card (such as links to business social media profile) when you visit our website or talk to us at a conference or other event, or if you are a customer or prospective customer. The provision of your personal information via our contact forms is not a statutory or contractual requirement, however, please note fields may be mandatory fields (marked with an asterisk); we need this information to comply with or respond to your request. Should you decide not to provide us with certain data such as your contact details, we might not be able to contact you or reply to your inquiries. Other information or personal information you may provide is in your sole discretion. If you contact us, we will keep a record of that correspondence.
- We will collect personal information on your visits to the Website including, but not limited to, IP Address, traffic data, location data, weblogs, and contact forms and other communication data and the resources that you access. Our collection of this personal information will make your visit to the Website easier in the future as we will be able to suggest content that is relevant to you based on the location you access the Website from.
- We collect your consent - exclusively - when you actively opt-in to receive marketing communications in the relevant contact form.
- When you use our online services, we also store cookies as set out in more detail in our Cookie Policy

## How we use your personal information

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Your personal information will be collected and processed by us for the following purposes:

- To respond to your request, questions or provide information when you contact or request us.
- To deliver our products and services, to send you information that you requested; or to contact you to provide additional information on our available products and services.
- To establish, manage or strengthen our relationship with you and your organization (if you are a client or prospective client);
- To send you direct marketing via e-mail, messaging, phone or social media when your company that you are working for is Akkodis' client currently or in the past or when you opt-in for this purpose in the relevant contact form. You may opt-out of receiving future marketing communications at any time in both cases.
- To send you other information deliver other services - such as Qwalifize upcoming events or newsletters - that may be of interest to you.
- To best tailor Content and resources according to your preferences.
- To help us create, publish, and improve the Content that is most relevant to you.
- To ensure that the Content provided through the Website is presented in the most effective manner for you and for your device.
- To allow you to participate or use in other interactive features of our Website, when you choose to do so.
- To further develop and improve the Website and systems to better serve you.

We do not make any automated decisions solely including profiling, which produces legal effects concerning you or similarly significantly affects you.

The information we collect related to your visit to our Website (for example: traffic data, location data, date and time of the access to the website, weblogs, your device, browser, and other communication data and the resources that you access) for web analysis purposes is only kept on an aggregated level. This means that once collected, this information is combined with other related information in a way that it is no longer possible to identify the person to whom it relates to anymore.

## Legal basis to process your personal information

Our use of your information as described above is permitted by applicable data protection law because:

- When you use our contact forms or sign up to receive our newsletters or alerts, the use of your personal information is based in your consent. Please consult “Your Rights” section to know about how you can withdraw your consent; or
- If you actively choose to submit an inquiry or request or contact us by any means, we will use the information you provide to respond to your request (consent based); or
- It is necessary for our legitimate interests in pursuing the purposes set out above (i.e., promoting our new brand and our services), and such interests in each case not being overridden by your privacy interests; or
- In some cases, it is necessary to meet our legal or regulatory responsibilities, or for establishing, exercising or defending legal claims, such as disclosures to authorities, regulators or government bodies; or
- In some cases, necessary for the performance of a task carried out in the public interest and, when we use special categories of personal information, necessary for establishing, exercising or defending legal claims or where the processing relates to personal information manifestly in the public domain; or
- Necessary for the performance of a contract to which you or your organization is party and manage and build the relationship between the parties; or
- In some circumstances, it is processed also with your specific consent which we obtain from you when you opt-in to receive marketing communications and news via email. See further information in “Marketing communications” section below.

## How long we will keep your personal information

- When you use our contact forms or sign up for newsletters, events or get information from us, we will keep your information for two years after last contact.
- The retention periods of your personal information depend on the respective purpose the data are processed for and the relevant jurisdiction. If we are providing any type of services to your company, we will keep your information for seven years after the end of the relationship of the legal entities in order to comply with applicable statutory retention laws.
- However, we may keep your information for the longer of the period required in order to meet our legal or regulatory responsibilities (for example, for establishing, exercising or defending legal claims or compliance cases).

## **Marketing communication**

We will only send marketing communications to you, as an individual, if you have consented to us doing so.

To receive marketing or promotional communications, you can opt-in by checking the relevant box located on the form on which we collect your data.

### B2B Communications.

We process your data within the scope of an existing business relationship with you or your company either (i) because we have a contract with you (or are considering entering into a contract with you); or (ii) because it is in our legitimate interests for the conduct of our business activities (for example, to communicate with you in a 'business to business' capacity in order to promote our products and services that we believe will be of interest to you or your company).

We may obtain contact information from public sources, including content made public at social media resources, to make an initial contact with a relevant individual at a client or other company. However, the bulk of the personal data we collect and use for marketing purposes relates to individual employees of our clients and other companies with which we have an existing business relationship. When we can legally do so, we may augment your information in order to assure that it is accurate

In other circumstances, we will only send marketing communications to you, as individual, normally by email where you have consented that we may do so.

Marketing communications via e-mail sent to individuals at our clients/companies with whom we want to develop or maintain a business relationship is sent in accordance with applicable electronic and marketing communications laws, and may include web beacons, cookies, and similar technologies that allow us to know whether you open, read, or delete the message, and links you may click on.

We will usually offer you a check box on the forms we use to collect your personal information where, if you agree to receive marketing communications, you have to click the box.

If you represent our prospect, partner or customer, either prior to entering into an agreement with Qwalifize or during a business relationship between Qwalifize and the legal entity which you represent, we may process your basic contact details (e.g. your name, surname, job position, company name, e-mail, and phone number) so far as necessary to carry out our joint business relationship. In that case, the processing of your personal data is based on our legitimate interest in maintaining and developing our business relationship and customer base, promoting our products, services, and customer loyalty programs. Generally, you cannot opt out of these sorts of communications which are not marketing-related but merely required for the relevant business relationship.

In any case, you may easily opt out of receiving any further marketing communications at any time. Where we send marketing communications to you via email, you may opt out of receiving any further marketing communications by clicking the 'unsubscribe' or 'opt-out' function in the email. Simply click the 'unsubscribe' or 'opt-out' function at the bottom of the email. In addition, you can also exercise your opt-out right at any time by contacting us here. and providing the following information: your name, your email address, a contact telephone number (please indicate, the marketing communications you would like to opt out of receiving in the Request Details field).

## Data Security

Although we will do our best to protect your personal information, you should be aware that the transmission of information via the internet is not completely secure and we cannot guarantee the security of your personal information transmitted to the Website or any third party; for this reason, any transmission is at your own risk. We will use strict operational procedures and adequate, technical and organizational security measures to prevent any unauthorized access, change, deletion or transmission of this personal information.

Marketing communication

## Your rights. How you can access, correct and delete your personal information

Under applicable data protection laws, you have the following rights:

- **Right to access and obtain a copy of your personal information:** You are entitled to request confirmation whether we process any of your personal information. Where this is the case, you may have access to your personal information and to certain information about how it is processed. In some cases, you can ask us to provide you with an electronic copy of your information. In some limited circumstances, you also have the right to request portability of your personal information.
- **Right to correct your personal information:** If you can demonstrate that the personal information we hold about you is not correct, you can ask that this information is updated or otherwise corrected.
- **Right to be forgotten/have data deleted:** In certain circumstances you have the right to have your personal data deleted. You may make such a request at any time and Qwalifize will evaluate if your request should be granted, however this right is subject to any legal rights or obligations we may have to retain data. For situations where in accordance with the law, we determine that your request to have your personal information deleted must be granted, Qwalifize will do so without undue delay.
- **Right to restrict or object to the processing of your data:** In certain circumstances you have the right to obtain restriction of the processing of your personal information, or to object on certain processing thereof on grounds relating to your particular situation.

To the extent our processing of your personal information is based on your consent, you also have the right to withdraw your consent at any time. Withdrawal of your consent will not affect the lawfulness of any processing based on your consent before the receipt of such withdrawal.

You can also lodge a complaint about our processing of your personal information with the data protection authority of the Member State of your habitual residence, of your place of work, or of an alleged infringement of your rights).

## Changes to this Policy

The terms of this Policy may change from time to time. We shall publish any material changes to this Policy through appropriate notices either on this website or contacting you using other communication channels.