Data Privacy Policy

SOC 1 Type II Document

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# Document Information

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# Scope

At Nexelus, security and privacy of your data is one of our key focus points. Data protection is a foundational building block in gaining and maintaining your trust. Scope of this document is to define the Data Privacy Policy for Nexelus.

**Reference**

* SSAE-18 SOC 1 Type II – Requirements.pdf
* <https://oag.ca.gov/privacy/ccpa>
* <https://gdpr.eu/>

# Privacy Policy

Data privacy policy is critical for compliance with different privacy legislation. The data privacy policies also help set expectations with Nexelus clients and users. They'll know the types of data you're collecting, why you're collecting, and how they can contact you with questions or concerns. Nexelus Data Privacy policy is compliant with following standards:

**GDPR - General Data Protection Regulation**

The General Data Protection Regulation (GDPR) is an EU legislation that aims to give the residents of the EU more control over their data. Under this regulation, organizations that handle data of EU residents will have to comply with data and privacy rules.

**CCPA (California Consumer Privacy Act)**

The California Consumer Privacy Act of 2018 (CCPA) gives consumers more control over the personal information that businesses collect about them and the CCPA regulations provide guidance on how to implement the law. This landmark law secures new privacy rights for California consumers, including:

* The right to know about the personal information a business collects about them and how it is used and shared.
* The right to delete personal information collected from them (with some exceptions).
* The right to opt-out of the sale of their personal information.
* The right to non-discrimination for exercising their CCPA rights.

## Terms and Definitions

Other than terms and definitions given in SSAE 18 – SOC 1 Type II, following terms and definitions are use in Nexelus Data Privacy Policy:

### Interpretation

The words of which the initial letter is capitalized have meanings defined under the following conditions. The following definitions shall have the same meaning regardless of whether they appear in singular or in plural.

#### Definitions

For the purposes of this Privacy Policy:

* **'Account**" means a unique account created for You to access our Service or parts of our Service.
* **'Business**". for the purpose of the CCPA (California Consumer Privacy Act), refers to the Company as the legal entity that collects Consumers' personal information and determines the purposes and means of the processing of Consumers' personal information, or on behalf of which such information is collected and that alone, or jointly with others, determines the purposes and means of the processing of consumers' personal information, that does business in the State of California.
* **'Company**" (referred to as either "the Company'. "We", "Us' or 'Our in this Agreement) refers to Nexelus LLC, For the purpose of the GDPR, the Company is the Data Controller.
* **'Country**" refers to United States of America.
* **'Consumer'**, for the purpose of the CCPA (California Consumer Privacy Act), means a natural Person who is a California resident. A resident, as defined in the law, includes (1) every individual who is in the USA for other than a temporary or transitory purpose, and (2) every Individual who is domiciled in the USA who is outside the USA for a temporary or transitory purpose.
* **'Cookies**" are small files that are placed on Your computer, mobile device or any other device by a website. containing the details of Your browsing history on that website among Its many uses.
* "**Data Controller**", for the purposes of the GDPR (General Data Protection Regulation), refers to the Company as the legal person which alone or jointly with others determines the purposes and means of the processing of Personal Data.
* "Device" means any device that can access the Service such as a computer, a cell phone or a digital tablet.
* "**Do Not Track" (DNT)**" is a concept that has been promoted by US regulatory authorities, in particular the U.S. Federal Trade Commission (FTC), for the Internet industry to develop and implement a mechanism for allowing internet users to control the tracking of their online activities across websites.
* "**Personal Data**" is any information that relates to an identified or identifiable individual.   
  For the purposes of GDPR, Personal Data means any information relating to You such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity.

For the purposes of the CCPA, Personal Data means any information that identifies, relates to, describes or is capable of being associated with, or could reasonably be linked, directly or indirectly, with You.

* "**Sale**", for the purpose of the CCPA (California Consumer Privacy Act), means selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a Consumers personal information to another business or a third party for monetary or other valuable consideration.
* "**Service**" refers to the Website.
* "**Service Provider**" means any natural or legal person who processes the data on behalf of the Company. It refers to third-party companies or individuals employed by the Company to facilitate the Service, to provide the Service on behalf of the Company, to perform services related to the Service or to assist the Company in analyzing how the Service is used. For the purpose of the GDPR, Service Providers are considered Data Processors.
* "**Usage Data**" refers to data collected automatically, either generated by the use of the Service or from the Service infrastructure itself (for example, the duration of a page visit).
* "**Usage Data**" refers to data collected automatically, either generated by the use of the Service or from the Service infrastructure itself (for example, the duration of a page visit).
* "**Website**" refers to Nexelus product, accessible from all client specific hosted Nexelus websites and/or Applications collectively
* "**You**" means the individual accessing or using the Service, or the company, or other legal entity on behalf of which such individual is accessing or using the Service, as applicable.

Under **GDPR** (General Data Protection Regulation), You can be referred to as the **Data Subject** or as the **User** as you are the individual using the Service.

## Collecting and Using Your Personal Data

### Types of Data Collected

#### Personal Identifiable Information (PII)

While using Our Service, we may ask **You** to provide certain personally identifiable information for your employees, for using Nexelus application and/or for planning and operation purposes, that can be used to contact or identify You. Personally identifiable information includes, but is not limited to:

* Email address
* First name and last name
* Phone number
* Address, State, Province, ZIP/Postal code, City
* Application usage data

No information is collected about race, religion, sex, and/or country of origin. Nexelus also does not ask or store information about physical, physiological, genetic, mental, economic, cultural, or social identity of users.

#### Usage Data

Usage Data is collected automatically when using Nexelus application.

Usage Data may include information such as Your Device's Internet Protocol address (e.g. IP address), browser type, browser version, the pages of our Service that You visit, the time and date of Your visit, history/log of data updated in Nexelus application.

When **You** access Nexelus by or through a mobile device, Nexelus collects certain information automatically, including, but not limited to, the type of mobile device, mobile device unique ID, the IP address of mobile device, mobile operating system, type of mobile Internet browser, unique device identifiers and other diagnostic data.

We may also collect information that Your browser sends whenever You visit our Service or when You access the Service by or through a mobile device.

#### Tracking Technologies and Cookies

We use Cookies and similar tracking technologies to track the activity on Our Service and store certain information. Tracking technologies used are beacons, tags, and scripts to collect and track information and to improve and analyze Our Service. The technologies We use may include:

* **Cookies or Browser Cookies.** A cookie is a small file placed on Your Device. You can instruct Your browser to refuse all Cookies or to indicate when a Cookie is being sent. However, if You do not accept Cookies, you may not be able to use our product. Unless you have adjusted Your browser to allow Cookies, our product may not be operational.

Cookies can be "Persistent" or "Session" Cookies. Persistent Cookies remain on customer personal computer or mobile device when You go offline, while Session Cookies are deleted as soon as You close Your web browser.

We only use Session Cookies for the purposes set out below:

* **Necessary / Essential Cookies**

Type: Session Cookies

Administered by: Us

Purpose: These Cookies are essential to provide You with services available through the Website and to enable You to use some of its features. They help to authenticate users and prevent fraudulent use of user accounts. Without these Cookies, the services that You have asked for cannot be provided, and We only use these Cookies to provide You with those services.

* **Cookies Policy / Notice Acceptance Cookies**Type: Persistent Cookies

Administered by: Us

Purpose: These Cookies identify if users have accepted the use of cookies on the Website.

* **Functionality Cookies**

Type: Persistent Cookies

Administered by: Us

Purpose: These Cookies allow us to remember choices You make when You use the Website, such as remembering your login details, user menu or default settings. The purpose of these Cookies is to provide You with a more personal experience and to avoid You having to re-enter your preferences every time You use the Website.

## Use of Your Personal Data

The Company may use Personal Data for the following purposes:

* **To provide and maintain our Service**, including to monitor the usage of our Service.
* **To manage Your Account**: to manage Your registration as a user of the Service. The Personal Data You provide can give You access to different functionalities of the Service that are available to You as a registered user.
* **For Product Functionality**: Nexelus requires personal information of employees for managing contracts, workflow, and other functionalities available in application.
* **To contact You**: To contact You by email, telephone calls, SMS, or other equivalent forms of electronic communication, such as a mobile application's push notifications regarding updates or informative communications related to the functionalities, products or contracted services, including the security updates, when necessary or reasonable for their implementation.
* **To manage Your requests**: To attend and manage Your requests to Us.
* **For other purposes**: We may use Your information for other purposes, such as data analysis, identifying usage trends, and Audit Trails.

**Note:** We do not share Your, and your employee personal information with any service provider, other clients, affiliates, business partners, and/or with any external user or organization.