BIOMETRIC PRIVACY POLICY

Last Revised: 10/11/2024

Your privacy is important to us. This Biometric Privacy Policy ("**Biometric Privacy Policy**") describes how Automatic Payroll Systems, Inc. ("**APS**", "**we**", "**us**", or "**our**") may collect, use, store, disclose, process, and transfer your Biometric Data, through your access to or use of APS products and services, including those at https://www.apspayroll.com as well as any subdomains, website of ours that links to this Privacy Policy, related websites, mobile applications, and other offerings (collectively, the "**Services**"). By using the Services, you signify your acceptance of this Biometric Privacy Policy. If you do not agree to this Biometric Privacy Policy, please do not use the Services. APS may change this Biometric Privacy Policy from time to time by posting changes at https://apspayroll.com/legal/biometric-policy/ and may send notification emails regarding such changes. Your continued use of the Services following the posting of such changes will be deemed your acceptance of those changes, unless additional consent is required.

Biometric Data Collected

"Biometric Data", as used in this Biometric Privacy Policy, means information about a person's physical or biological characteristics, that can be used to identify such person. In connection with the Services and after you consent to AP's use of your Biometric Data, APS (or its service providers, such as technology vendors), may collect face geometry, hand geometry and related information in order to accomplish the purposes stated in this Biometric Privacy Policy.

If you are a Customer who has purchased access to the Services, you hereby agree that you are responsible for complying with all applicable laws, rules and regulations governing any collection, storage, use and/or transmission of Biometric Data and, to the extent required by applicable laws, rules and regulations, you will obtain written authorization from each of your employees and service providers in order to have APS and APS' authorized service providers to collect, store, use and/or transmit such Biometric Data prior to the collection of such data.

Timekeeping Devices and Attachments

To the extent you, as a Customer, use timekeeping devices and/or attachments to collect, capture, or otherwise obtain Biometric Data from your employees and/or service providers, you agree that you must first: (1) inform the data subject in writing that Biometric Data is being collected; stored and used; (2) inform the data subject in writing of the specific purpose and length of time for which the Biometric Data is being collected, stored, and used; and (3) receive a written release signed by the data subject (or his or her legally authorized representative) authorizing you, APS, and/or APS' service providers to collect, store, and use such Biometric

Data for the specific purposes disclosed by APS, and authorizing you to provide such Biometric Data to APS and/or its service providers.

Purposes of Collection

APS collects Biometric Data for the purposes of identity verification, workplace security, time entry management and fraud prevention.

APS, APS' service providers, and/or its Customers will not sell, lease, trade, or otherwise profit from Biometric Data; provided, however, that APS may be paid for products or services used by APS' service providers or Customer that utilize such Biometric Data.

Disclosure of Biometric Data

APS will not disclose any Biometric Data to anyone other than its authorized service providers and Customers unless disclosure is required:

- In response to subpoenas, court orders, or other legal process; to establish or exercise our legal rights; to defend against legal claims; or as otherwise required by law. In such cases we reserve the right to raise or waive any legal objection or right available to us.

- When we believe it is appropriate to investigate, prevent, or take action regarding illegal or suspected illegal activities; to protect and defend the rights, interests, or safety of our company or the Services, our customers, or others; or in connection with our Terms of Service and other agreements with customers of which you may be affiliated.

- In connection with a corporate transaction, such as a divestiture, merger, consolidation, or asset sale, or in the unlikely event of bankruptcy.

Retention of Biometric Data

APS will retain your Biometric Data consistent with the original purpose of collection or as long as necessary to comply with our legal obligations; maintain accurate operational records; resolve disputes; and enforce our agreements. We will never retain your information for a period longer than permitted by law.

After expiration of the applicable retention periods, your Biometric Data will be deleted.