

## Privacy Shield Compliance Statement

**Effective Date :** 17th January 2020 Onwards

### Introduction

OrangeHRM Inc is a product based company that provides Software as a Service for the human resource domain across the world. In connection with the provision of services, OrangeHRM will receive, access, store or otherwise process (*collectively, "handle"*) personal information of its customers, including personal information of individuals resident or located in the European Economic Area ("*EEA*").

### Compliance statement

OrangeHRM Inc complies with the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States. OrangeHRM Inc has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

### Scope of data collected by OrangeHRM

OrangeHRM receives both HR and non-HR data from clients/visitors and prospects primarily under two categories;

- 1. Data receives through OrangeHRM Cloud-Based Enterprise Application**
- 2. Data receives through OrangeHRM Corporate website**

This Privacy Statement applies only to Personal Data, Human resource data and Non Human Resources Data which are collected under the above categories.

### Data receives through OrangeHRM Cloud-Based Enterprise Application

OrangeHRM cloud receives the client information in following methods,

1. Initial data files(sent by client) through SFTP channel to setup OrangeHRM HRIS application
2. Data from client's regular usage of OrangeHRM HRIS application

In this context, OrangeHRM primarily handles personally identifiable information as a data processor. In this capacity, OrangeHRM processes personal information on behalf of, and under the direction of, a business customer. As such OrangeHRM is not the data controller and

individuals (Data Subject) must refer to the privacy policies of corresponding business customers (Data Controller) from which their data originated.

Any information receive under this category is stored in Rackspace (*Rackspace Inc - OrangeHRM cloud service provider*) data centers corresponding to the client's business region. OrangeHRM may access customer data for the purposes of providing the service, preventing or addressing service or technical problems, responding to support issues and responding to the customer's instructions, in accordance with the relevant agreement between the Customer and OrangeHRM. In term of third party accessibility, aforementioned data can be accessed by Racksapce and following transactional email services,

- Sendgrid
- Mandrill

However all those access attempts are protected with relevant legal agreements. If OrangeHRM shares a client's personally identifiable information with a third party other than above vendors (Rackspace, Mandrill and Sendgrid) it will be notified to the corresponding client in advance and will be handled in accordance with the onward transfer principle stated in this document and the relevant agreements established between orangeHRM and vendor.

More details on data manipulation, purpose and how data is disclosed, Please refer : [OrangeHRM Service Privacy Policy](#)

### **Data receives through OrangeHRM Corporate website**

In OrangeHRM Corporate website, client/prospect/visitor information is collected during the user registration process implemented in the [OrangeHRM corporate web site](#). During the registration process OrangeHRM collects,

- First Name
- Last Name
- Company name
- Contact number
- Business email address

With the purpose of,

- Provide Services and for business purposes
- Processing and fulfilling estimation requests and customization requests in OrangeHRM HRIS application,
- Sending newsletters
- Sales follow-ups
- Helpdesk assistance on services such as OrangeHRM trial demonstrations
- Recruiting

Any information collected via OrangeHRM corporate website will be stored in Rackspace Inc data centers and all the email notifications are transferred through SendGrid and Mandrill transactional email services.

In order to comply with the privacy shield principles, Personal information collected under this category, OrangeHRM will not share, sell, rent, or exchange or otherwise, make available to any other parties except as provided in [OrangeHRM Privacy Policy](#). In any special case, if OrangeHRM has to share the personally identifiable information with a third party, OrangeHRM will handle in accordance with onward transfer principle and inform client/prospect/visitor in advance.

Any client/prospect/visitor can correct, update, amend, or remove Personal Information by requesting OrangeHRM by contacting OrangeHRM via [info@orangehrm.com](mailto:info@orangehrm.com). If you no longer desire to use our Services, you may deactivate the Services by contacting us via [info@orangehrm.com](mailto:info@orangehrm.com). Any party may withdraw consent to our processing of their Personal Information at any time by contacting OrangeHRM using the contact information listed in the [orangehrm.com](http://orangehrm.com) website.

More details on data manipulation, purpose and how data is disclosed, Please refer : [OrangeHRM Privacy Policy](#),

## **Dispute Resolution**

In compliance with the Privacy Shield Principles, OrangeHRM Inc commits to resolve complaints about our collection or use of your personal information. Individuals with inquiries or complaints regarding our Privacy Shield policy should first contact OrangeHRM Inc at:

**Zanfer Hussain**  
Data Protection Officer  
OrangeHRM INC  
[dpo@orangehrm.com](mailto:dpo@orangehrm.com)  
[info@orangehrm.com](mailto:info@orangehrm.com)

OrangeHRM Inc commits to cooperate with the panel established by the EU data protection authorities (DPAs) and comply with the guidelines given by the panel with regard to data transferred from the EEA. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit the following [link](https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm) [https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index\\_en.htm](https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm) for more information and to file a complaint. Note that in some limited cases with respect to compliance with the EU-US Privacy Shield, you may be able to invoke binding arbitration before the Privacy Shield Panel to be created by the US Department of Commerce and European Commission.

## **Adherence with Privacy Shield Principles**

- Notice

As described in this document and the following privacy policies,

- [OrangeHRM Privacy Policy](#)
- [OrangeHRM Service Privacy Policy](#)

OrangeHRM is committed to updating you all with regards to the types of personal data collected, purpose of the data collected, how data is being processed, dispute resolution(internal/External), independent dispute resolution, requirement to disclose personal information in response to lawful requests and how data being utilized by the third party.

- Choice

When OrangeHRM collects Personal Information directly from individuals within the EU, EEA via the OrangeHRM web site, Cloud-Based Enterprise Application, it will do in accordance with the OrangeHRM Privacy Policy, OrangeHRM Service Privacy Policy and to the extent, is applicable and required by the EU-U.S. Privacy Shield.

The framework offers individuals the choice to opt-out of having their Personal Information disclosed to a third party not listed in our policies below

- [OrangeHRM Privacy Policy](#)
- [OrangeHRM Service Privacy Policy](#)

or used for a purpose other than that for which it was collected originally.

- Accountability for Onward Transfer

When disclosing Personal Information to third-party service providers/Legal authorities or any other entity who performs functions on its behalf, OrangeHRM notifies the respective data controller or data subject before transferring data to the aforementioned parties and seek for their consent.

OrangeHRM Inc shall agree with third-party that third party controller only process data for limited and specified purposes consistent with the consent provided by the individual and that the recipient will provide the same level of protection as the principles and will notify the orangeHRM if it makes a determination that it can no longer meet this obligation and takes reasonable and appropriate steps to remediate.

Further, OrangeHRM Inc shall remain liable under the Principles if its agent processes such personal information in a manner inconsistent with the Principles, unless the organization proves that it is not responsible for the event giving rise to the damage.

- Security

OranageHRM maintains a comprehensive, written information security program that contains industry standard, administrative, technical, and physical safeguards designed

to prevent unauthorized access to your Data. OrangeHRM has been assessed and hold validation for the GDPR and ISO 27001:2013 for OrangeHRM cloud data management. OrangeHRM employs Rackspace Inc as an infrastructure service provider for the OrangeHRM cloud platform and OrangeHRM Corporate web site environment. They maintain a diverse range of certifications to assist OrangeHRM in verifying the security policies, processes and facilitate applicable laws such as GDPR and international standards(ISO 27001:2013,SSAE 16 and ISAE 3402,PCI DSS). Please refer to the [OrangeHRM Privacy Policy](#) and [OrangeHRM Service Privacy Policy](#) for more details;

- Data Integrity and Purpose Limitation

When OrangeHRM collects information directly from individuals within the EU and EEA, to the extent it is applicable and required by the Privacy Shield Framework, and in accordance with [OrangeHRM Privacy Policy](#) and [OrangeHRM Service Privacy Policy](#), take reasonable measures to verify that personal information it collects is relevant and reliable for its intended use and that it is accurate, complete, and current. OrangeHRM does not process personal information in a way that is incompatible with the purposes for which it has been collected or subsequently authorized by the individual. If so, prior consent will be requested from the client.

- Access

### **OrangeHRM Cloud-Based Enterprise Application**

OrangeHRM process data under the direction of its controller and have no direct control or ownership of the personal data stored in the OrangeHRM Cloud Platform. Data controller is responsible for complying with any regulations or laws that require providing notice, disclosure and/or obtaining consent prior to transferring the data to OrangeHRM for processing purposes. We provide all customers with an extensive range of data protection capabilities – from role-based access control to data encryption; from tools to publish corporate policies to data management with extensive audit logs, It enables Customers to access, rectify and restrict processing of Customer Data. Refer [to OrangeHRM-Service-Privacy-Policy](#), section: *Your personal information rights* for more details.

### **OrangeHRM Web Site**

Any data subject from the EU.EEA may correct, update, amend, or remove Personal Information by requesting us to do so. You may contact us on [info@orangehrm.com](mailto:info@orangehrm.com) and request for the modification. If you no longer desire to use our Services, you may deactivate the Services by contacting us via email. Refer [to OrangeHRM Privacy Policy](#), section: *Your personal information rights* for more details.

- Recourse, Enforcement, and Liability

OrangeHRM Inc uses a self-assessment approach to ensure compliance against Privacy Shield Statement and periodically verifies that this Privacy Shield Statement is accurate, comprehensive for the information intended to be covered, prominently displayed, completely implemented and accessible and in adherence to the Principles.

In compliance with the Principles, OrangeHRM Inc is committed to resolving any concerns with respect to your privacy. Individuals with inquiries or complaints regarding this Privacy Statement should first contact OrangeHRM Inc using the contact information provided under the dispute resolution above, in which case OrangeHRM will investigate and attempt to internally resolve any complaints and disputes regarding the use and disclosure of Personal Information.

If you are an individual in the EU or UK and have utilized the OrangeHRM internal dispute resolution process, but your complaint or dispute remains unresolved, OrangeHRM is committed to utilizing the independent dispute resolution process to further investigate the unresolved queries (*Please refer to the Dispute **resolution** section above*).