

Privacy Policy

Last Updated: October 1, 2021

This Privacy Policy explains how information about you is collected, used and disclosed by AccuBuild IT, LLC dba ConstructionPayroll.com (collectively, "ConstructionPayroll.com," "we," "us," or "our") when you access or use our website (<https://constructionpayroll.com>), including through our associated point-of-sale or mobile applications (the "Site"), or our online payroll, financial, and other services (collectively, the "Services"). By accessing the Site or using the Services, you agree to our collection, use and disclosure of your information as outlined in this Privacy Policy. If you access our Services through your employer or another entity (our "Client"), please note that this data and your account are controlled by the Client and we process this data at their direction.

Information Collected

When you access our Site or use the Services, we collect and store certain information about you, including "personal information." Personal information is information that, alone or in combination with other information in our possession, could be used to personally identify you. We collect the following categories of personal information and other information as described below.

A. Direct Information

We may collect or receive the following categories of personal information when you, your employer, or your employer's designated administrator or accountant access the Site, request to receive information about ConstructionPayroll.com or its Services, create an account, verify your identity, use any of the Services, or otherwise communicate with us, including through customer support channels.

Financial Information, such as:

- Bank account(s) and routing number(s)
- Bank account balance and transaction information

Identification Information, such as:

- Name, mailing address, email address, phone number, birthdate
- Social Security number, Taxpayer Identification number
- Government-issued documentation, such as driver's license or passport

Taxpayer Information, such as:

- Federal Employer Identification Number (FEIN)
- State tax identification number(s)
- Tax withholding selections for you and/or your employees

Other Information You Voluntarily Choose to Provide. We may collect information, including personal information, that you voluntarily provide to us when you:

- Register for, attend, or participate in conferences, webinars, or events

- Provide us feedback or comment on our blogs or social media pages
- Submit information to us so that we can assess potential business opportunities
- Apply for a job position with us

B. Indirect Information (or information collected automatically)

We automatically collect certain information when you access the Site or use the Services:

Electronic & Online Identifiers (IDs), such as:

- If on a mobile device: mobile carrier, device IDs, and mobile advertising IDs
- If using a browser: operating system, browser type, and Internet Protocol (IP) address

Geolocation Information, such as:

- Approximate location derived from IP address (if using a browser)
- Precise location (based on the GPS coordinates of your device) only if you have opted into a product feature that includes it (such as a geo-fenced or geo-location time tracking service).

Internet Activity Information, such as:

- Your “log-in” and “log-out” information
- The pages that you visit before, after, and while using our services
- Pages you visit, links you click, and the content you view on the site

Single Sign-On Information (SSO) that allows us to verify your authorized access to the Services from another service you use and with which we partner, such as your email.

Information using Tracking Technologies, such as:

- Cookies, which are small text files that websites send to your computer or mobile device. This includes session cookies (which are deleted once you close your browser) and persistent cookies (which remain on your computer or device until you delete them, or they expire)
- Pixel tags (also known as web beacons), which are pieces of code embedded in our Services that collect information about engagement on our Site or emails. To make it easier, we call cookies and pixel tags/web beacons “Tracking Technologies”

Third-party analytics tools. For more information, visit the individual companies’ Privacy Policy requirements.

Tracking Technologies for the following purposes:

- When operationally necessary for us to provide you access to our Site or Services. This also includes tracking behavior in order to protect against irregular, fraudulent, or possibly illegal behavior on our Site or Services
- Assess the performance of how you and others use our Site and Services (for more information, read the Analytics section below)

- Enhance the functionality of our Site or Services. This includes identifying you when you sign into our Services and keeping track of your preferences, interests, or past items viewed
- Target our advertising to you using Tracking Technologies that we or our third-party partners place on our Site or other websites
- Social Media Platforms. Our Services may contain social media buttons such as Facebook, LinkedIn, Twitter, and Instagram (that might include widgets such as the “share this” button or other interactive mini programs). These features may collect your IP address, which page you are visiting on our Services, and may set a cookie to enable the feature to function properly. Your interactions with these platforms are governed by the privacy policy of the company providing it.

C. Information collected from third parties

We may collect and receive information about you, including personal information, from third parties, such as your employer, your employer’s accountant or service providers, financial institutions, credit bureaus, insurance carriers and third-party administrators, and our service providers, for the purposes described in this Privacy Policy. In addition, we may receive demographic and business industry information about you from third parties to help us better understand our users and to improve and market the Services.

We may use different partner companies to collect information from financial institutions. By connecting your bank account using these partner companies, you acknowledge and agree that such information will be treated in accordance with those companies’ Privacy Policy.

How Your Information is Used

We use information that we collect about you for the following purposes:

Develop and provide you with the Site and Services, including to:

- Operate the Site, manage accounts and provide the services
- Determine your eligibility for our Services and our partners’ programs
- Improve, personalize, and enable your use of the Site and Services
- Develop new products and features

Protect ConstructionPayroll.com, our users, and the public, and comply with applicable law, regulation, or legal process, including to:

- Validate user information for fraud and risk detection purposes
- Resolve disputes and protect the rights of users and third parties
- Respond to claims and legal process (such as subpoenas and court orders)
- Monitor and enforce compliance with the applicable Terms of Service
- Prevent or stop any activity that may be illegal, unethical, or legally actionable

Operate our business, including to:

- Process payment transactions
- Manage and enforce contracts with you or with third parties
- Manage our corporate governance, compliance and auditing practices
- Recruit new hires if you submit an application for employment with ConstructionPayroll.com
- Generate anonymized or aggregated data
- Enforce our Terms of Service and other agreements

Communicate with you as part of your use of Services, including to:

- Respond to requests or questions you submit to our support staff
- Send you surveys and get your feedback about the Services

Otherwise contact you with Services-related notices.

Advertise and market to you, including to:

- Determine your eligibility for certain programs, events, and offers
- Inform you of our or our partners' products, services, features or promotions
- Provide you with newsletters, articles, reports, and announcements
- Develop "interest-based" or "personalized advertising," including through cross-device tracking

For any other purpose for which you, your employer, or your employer's agent expressly authorize us to use your information.

When and with Whom We Share Your Information

We will only share your information with the categories of third parties listed below for the purposes described above in the "Use of Your Information" section, unless otherwise noted at the point of collection.

Service Providers that have signed an agreement with us that limit how they use your information and promises to keep your information confidential. Examples include:

- Banks, financial institutions, and credit bureaus
- Companies or organizations that provide services such as website hosting, customer management and customer service
- Business Partners with whom we jointly offer products or services
- Third-party partners that provide services through our Site or Services
- Government agencies, including taxing authorities and their authorized collectors, in the countries in which we operate, only as necessary for us to provide you with the services

Other parties under the circumstances described below:

- For legal reasons:
 - including verifying your identity and/or and detect fraud

- With legal and financial advisors, auditors, examiners, and certain (including potential) investors
- With companies that may acquire us, if we are involved in a merger, acquisition, or sale of assets
- Comply with applicable law, regulation, or legal process, including to:
 - Comply with law enforcement or national security requests
 - Comply with legal process, such as a court order or subpoena (including in a country other than your home country)
 - Protect your, our, or others' rights, property, or safety
 - Enforce our policies or contracts and collect amounts owed to us
 - Assist with an investigation or prosecution of suspected or actual illegal activity
- Manage the referral program, including emailing potential customers that you have referred to us, which reference your name as the referral source
- We also reserve the right to transfer your personal information to a buyer or other transferee in the event of a merger, divestiture, restructuring, reorganization, dissolution, sale, or other transfer of some or all of our assets. Should such a sale, merger, or transfer occur, we will use reasonable efforts to direct the transferee to use your personal information in a manner that is consistent with our Privacy Policy
- Further public policy goals, including:
 - publishing reports that incorporate aggregated, non-personally identifiable information about customer attributes, transactions, and behavior
 - sharing data containing aggregated and/or non-personally identifiable customer information with non-profit or non-partisan organizations, academic institutions, think tanks, trade associations, consultancies, or similar organizations, only if they have signed an agreement with us that restricts how they can store, access, share, and use the information
 - For other purpose and to any other person with whom you, your employer, or your employer's agent expressly authorize us to share your information

Privacy Choices

The privacy choices you may have about your personal information are determined by applicable law and are described below.

Email and Text Messages. You can opt out of our promotional emails by using the unsubscribe link located at the bottom of our promotional emails. You can opt out of text messages from us by replying "STOP" or contacting us as described below. If you decide to opt-out, we may still send you non-promotional communications such as your payday emails and messages about your account.

Mobile Notifications. We may send you push notifications through our mobile app. You can opt out from receiving push notifications by changing the settings on your mobile device.

"Do Not Track." Do Not Track ("DNT") is a privacy setting you can set on some web browsers that signals to websites like ours that you don't want your online activities to be tracked. At this time, we do not respond to DNT signals sent to us by your web browser.

Cookies and Interest-Based Advertising. You may stop us from sending Tracking Technologies to your browser by changing the settings on your browser. However, if you block all Tracking Technologies, our Services may not work properly. Please note you must separately opt out in each browser and on each device. You can learn how to manage your cookies on these popular browsers by clicking on the links below.

- Google Chrome. For more information, visit [Google Chrome](#)
- Internet Explorer. For more information, visit [Internet Explorer](#)
- Mozilla Firefox. For more information, visit [Mozilla Firefox](#)
- Safari – Desktop. For more information, visit [Safari \(Desktop\)](#)
- Safari – Mobile. For more information, visit [Safari \(Mobile\)](#)
- Android – Browser. For more information, visit [Android Browser](#)

You may stop us from personalizing our advertisements to you on some mobile applications by following the instructions for Android, iOS, and others. You may also opt out of receiving targeted ads from advertising partners that participate in self-regulatory programs.

If you do not want us to use your email address/contact information to promote our products or services, you can opt out at any time by sending us an email stating your request to privacy@constructionpayroll.com. By registering for a demo or creating an account, you agree to receive email communications from us. If you have received a promotional email from us, you can also opt out of receiving future promotional emails by following the unsubscribe instructions contained in such email. In addition, you may also manage your email preferences at any time by logging in to your account and updating your email communications settings

Privacy Rights

In accordance with applicable law, you may have the following rights. To exercise these rights, please contact us as set forth below.

- Access personal information about you, including confirming whether we are processing your personal information and obtaining access to your personal information
- Request correction of your personal information where it is inaccurate or incomplete
- Request deletion of your personal information
- Request restriction of or object to our processing of your personal information
- Withdraw your consent to our processing of your personal information.

Security

We employ administrative, physical and technical measures designed to protect your information from unauthorized access and to comply with applicable privacy laws in the states and countries in which we operate. Your personal information will be kept on our servers or on those of our service providers and only those employees that require it for the purposes of their duties will have access to your personal information. We have also implemented controls which require our third-party service providers and partners to have appropriate safeguards to protect

your personal information. However, despite these efforts, no security measures are perfect or impenetrable and no method of data transmission can be guaranteed to prevent any interception or other type of misuse. We also depend on you to protect your information. If you become aware of any breach of security or privacy, please notify us immediately. To the fullest extent permitted by applicable law, we do not accept liability for unauthorized disclosure.

International Data Transfers

All information processed by us, or our service providers may be transferred, processed, or stored anywhere in the world, including in countries that may have data protection laws that are different from the laws where you live. Your information may be accessible to the courts, law enforcement, and national security authorities of the United States. We endeavor to safeguard your information consistent with the requirements of applicable laws. If your personal information is transferred to a country other than your home country, we will take measures to protect your personal information with appropriate contract clauses. To obtain more information about ConstructionPayroll.com's policies and practices with respect to service providers outside your country, please contact us as set forth below.

Links to Other Sites

This Privacy Policy only covers the privacy practices of ConstructionPayroll.com. It does not apply to the practices of third-party websites, services, or applications, even those who we have partnered or integrated with. Third-party services handle your information in accordance with their own practices and privacy policies. We are not responsible for their policies, practices, or handling of your information.

Our Policy Toward Children

Our website is not intended for children under 16 years of age. No one under age 16 may provide any information to the Site. We do not knowingly collect personal information from children under 16. If you are under 16, do not use or provide any information on this Site or through any of its features, or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received personal information from a child under 16 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 16 please contact us at you can opt out at any time by sending us an email stating your request to privacy@constructionpayroll.com.

Notice to California Consumers

This Supplemental California Privacy Notice only applies to our processing of personal information that is subject to the California Consumer Privacy Act of 2018 ("CCPA"). The CCPA specifies that natural persons who are California residents have the right to know what categories of personal information ConstructionPayroll.com has collected about them and

whether ConstructionPayroll.com has disclosed or sold that personal information for a business purpose (e.g., to a service provider) in the preceding 12 months.

For purposes of the CCPA, ConstructionPayroll.com does not “sell” personal information, nor do we have actual knowledge of any “sale” of personal information of minors under 16 years of age.

Categories of personal information we may collect about you:

- Identifiers (ex: name, email address, mailing address, phone number, signature)
- Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)) (ex: Social Security number, passport number, driver’s license or state identification card number, employment, employment history, financial information)
- Protected classification characteristics under California or federal law (ex: age, race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, gender, sex, sexual orientation, veteran or military status, genetic information (including familial genetic information));
- Commercial information (ex: sales engagement history)
- Internet or other electronic network activity information (ex: IP address, unique personal identifier, web history, advertising history)
- Geolocation data (ex: the location from which you’re logging in)
- Employment-related information (ex: employment history, employer name)
- Education information (ex: education history).

Categories of third parties who we may share that information:

- Service Providers as described in this Privacy Policy
- Business Partners as described in this Privacy Policy

California Civil Code Section § 1798.83 permits users of our Services who are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to privacy@constructionpayroll.com or write us at:

ConstructionPayroll.com
1208 South Main Street
Georgetown, TX 78626
+1 (800) 728-6853

Right to Non-Discrimination for the Exercise of a Consumer’s Privacy Rights

You have the right not to receive discriminatory treatment from ConstructionPayroll.com for exercising the privacy rights granted by the CCPA.

Verifiable Consumer Requests

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. In order to verify your request, we will ask you to provide your name, email address, and certain other pieces of identifying information. Once you have submitted this information and any necessary supporting documentation, we will confirm the information by reviewing it against ConstructionPayroll.com's records. To designate an authorized agent, please contact us as set forth below.

Notice to Nevada Residents

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Information to third parties who intend to license or sell that Personal Information. Please note that we do not currently sell your Personal Information as sales are defined in Nevada Revised Statutes Chapter 603A. If you have any questions, please contact us as set forth below.

Additional Information for Individuals in the European Economic Area (EEA)

If you are in the EEA, it is your right to request a copy of the personal information we hold about you. You can request a copy of such personal information, and ask us to update, correct or supplement it, by contacting us using the information below. You can also ask us to stop using your personal information or erase it from our systems. In some circumstances we may not be able to fully comply with your request (if this is the case, we will explain why we can't), or we may ask you to provide us with additional information, for example, if we need to verify your identity.

Changes to this Privacy Policy

Any information that we collect is subject to the Privacy Policy in effect at the time such information is collected. We may, however, modify and revise our Privacy Policy from time to time. If we make any material changes to this policy, we will notify you of such changes by posting them on the Site, informing you through the Services, or sending you an email or other notification, and we will indicate when such changes become effective. By continuing to access or use the site or the services after those changes become effective, you agree to be bound by the revised policy.

Contact Information

If you have any questions about our privacy practices or this Privacy Policy, or to exercise your privacy rights as detailed in this Privacy Policy, please contact us at:

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1208 South Main Street
Georgetown, TX 78626
privacy@constructionpayroll.com
+1 (800) 728-6853