

## The Larkin Company Privacy Policy

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Larkin Benefit Administrators, a California corporation dba The Larkin Company and its subsidiary, Silvers HR (collectively, “we,” “our,” “us,” or “The Larkin Company”) value your privacy and trust and are committed to handling your information. The Larkin Company’s services are designed to help employers (“Clients”) by providing employee leaves of absence and short-term disability plans administration and related services, as well as Human Resources practice review, policy and plan design, and training (the “Services”).

To better protect your privacy, we provide this notice explaining The Larkin Company’s online information practices and the choices you can make about the way your information is collected and used. This Privacy Policy explains what information we may collect, use, share and disclose, both online and offline, about you. This Privacy Policy also applies to our own efforts to recruit personnel, as well as marketing our own company. There may be additional notices of our offline privacy practices that we may provide at or before the time we collect personal information. Please read any such notices so you can understand how they apply to you.

To make this notice easy to find, it is available on our homepage(s) and wherever personally identifiable information may be requested. This notice applies to all information collected or submitted when you use our websites, including [www.thelarkincompany.com](http://www.thelarkincompany.com), <https://www.silvershr.com>, or any of our software or mobile app(s) (each a “Site”), and/or as we endeavor to provide any of our Services. This Privacy Policy does not govern information you might provide through a channel other than the Website.

This Privacy Policy is distinct from your health insurer, employer or other health plan, or healthcare provider's Health Insurance Portability and Accountability Act (HIPAA) notice of privacy practices, which describes how those entities use and disclose individually identifiable information about your health.

This Privacy Policy is also distinct from any of your employer's privacy notices relating to the use and disclosure of your personal information outside of HIPAA.

This Privacy Policy also describes your rights regarding your personal information and how you can exercise them. By visiting or otherwise using our Site(s) or using or participating in our Services, you are consenting to our handling of your information as set forth in this Privacy Policy. If you do not agree or wish to consent, please discontinue use of our Site, and do not use or participate in our provision of Services.

If you have any questions relating to our privacy practices, please contact us at [Privacy@TheLarkinCompany.com](mailto:Privacy@TheLarkinCompany.com).

### **Business Service**

The Larkin Company's services are designed for employers and their employees relating to leaves of absence and short-term disability plans administration and related services, as well as Human Resources practice review, policy and plan design, and training.

### **I. Personal Information We Collect and How We Collect It**

The Larkin Company may collect the personal information listed below that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly with a particular person or device ("Personal Information"). In particular, we may collect the categories of Personal Information listed below from you.

On some pages, you can make requests, apply for employment at The Larkin Company or contact The Larkin Company to inquire about our services, or register to create an account. The types of Personal Information collected on these pages are listed below. In order to tailor our subsequent communications to you and continuously improve our services, we may also ask you to voluntarily provide us with information regarding your personal or professional interests, demographics, experience with our services, and contact preferences.

In the preceding 12 months, we have collected the following categories of personal information from the following categories of individuals:

#### **A. Categories of Individuals From Whom We Collect Personal Information**

- Visitors: Individuals who visit or use our Site(s).
- Candidates for employment: Individuals who are seeking job opportunities with us or for whom we are actively recruiting for job opportunities.

- Clients or prospective clients: Business entities in the United States or Canada to whom we offer and/or provide any of our Services, or who seek any such Services, and their employees.
- Vendors, service providers or other third parties: Employees, contractors, representatives or agents of our Clients or Prospective Clients, as well as our own vendors, consultants, service providers, or other suppliers of goods and/or services, with whom we have a business relationship and/or who help us provide the Site(s) and/or the Service(s).

## **B. How We Collect Your Personal Information**

Information you provide to us: The Larkin Company and/or our agents, vendors, consultants, service providers or other suppliers who help us provide the Site(s) and/or the Services may collect information that you provide to us directly. For example, if you use the “Contact” page on our Site(s) to send a message, we collect your name, email address, phone number, company name, what you are interested in discussing, and any other information you choose to provide. If you purchase products available through our Sites, we collect your payment information, including credit or debit card numbers to process and fulfill your order. We may also collect information about you when you call us, send us an email or other written correspondence, or register for a newsletter or an event through any of our Sites or links in our emails, or through any of our vendors, service providers or suppliers who help us provide such newsletter(s) or event(s). The types of information we may collect include your contact information, such as your first and last name, email address, phone number, payment information and other information you may choose to provide to us.

Information our Clients may provide to us: In order for us to provide our Services, your employer provides us information about you. In providing our Services, your medical providers also provide us information about you. We provide secure means for our Clients, medical providers and others to provide us information about you as part of our provision of Services. Your employer, medical provider and other third parties who provide us your personal information have their own policies and procedures with respect to the handling of your personal information, which we encourage you to learn about.

Information automatically collected: The Larkin Company and its third-party service providers may also collect certain information from Visitors to our Site(s) through the use of a variety of technologies, including cookies, to help improve Visitors’ online experience, to conduct website traffic and other data analytics, and to modify, improve and enhance our Site(s) and Services. Such information includes Internet Protocol (“IP”) addresses, Internet or other electronic network activity information, such as browsing history, search history, and other information regarding your interaction with an Internet website, application, or advertisement. For more information about the cookies we use, please see our Cookie Notice section of this Privacy Policy.

Information we collect from other sources: We may acquire or receive information about you from vendors, consultants or service providers with whom we have a business relationship, and who we use to help us provide our Services. We may collect information you submit to your

public social network profiles such as LinkedIn, and other job board-type websites such as Zoom Info, Monster, Dice, Indeed and Crunchbase. We may combine such third-party data with other information we acquire or receive from or about you in connection with the provision of our Services. Any third-party data collection, storage and sharing, or other activities, are subject to those third parties' policies and practices. The Larkin Company makes no representations regarding, and is not responsible or liable for, the accuracy of the information provided by third parties or for those third parties' policies or practices.

**C. How We Use Personal Information**

Categories of Personal Information	Our Business Purposes
<p>Identifiers, including name, alias, postal address, email address, telephone number and other contact information, information of professional and personal references and referral sources, emergency contact information, unique personal identifier, online identifier, internet protocol (IP) address, email address, account name, social security number, driver's license number, passport number and other similar identifiers</p>	<ul style="list-style-type: none"> <li>• To manage, administer and otherwise provide The Larkin Company Services</li> <li>• To complete transactions, fulfill terms or obligations, and otherwise perform The Larkin Company Services</li> <li>• Support the employee leave and claim processes</li> <li>• To understand user issues, usage, and address application crash issues</li> <li>• To provide and manage leaves of absence, short-term disability claims, and ADA administration and policies of clients</li> <li>• To provide employment, insurance and other benefits to our employees</li> <li>• To meet legal obligations as an employer or potential employer</li> <li>• To receive candidates for possible employment at The Larkin Company</li> <li>• To understand the demographics of the visitors of the website and to provide a method for visitors to inquire of our services</li> <li>• To respond to your inquiries</li> <li>• To modify, enhance and improve the browsing experience for visitors to any of our Site(s)</li> </ul>

	<ul style="list-style-type: none"> <li>• To verify the identity of consumers or their Authorized Agents who submit requests relating to their personal information</li> <li>• To send you emails, mail, messages and other communications about The Larkin Company for marketing, advertising and other promotional purposes</li> <li>• To deidentify, aggregate and/or anonymize data for statistical analysis and reporting purposes</li> </ul>
Professional or employment-related information, and educational information, including information on your resume or CV, employment history, education history, certifications, languages, security clearance information, work authorization, past and expected compensation, and other work-related information	<ul style="list-style-type: none"> <li>• Same as above</li> </ul>
Inferences drawn from any other personal information, including assessment of aptitudes, abilities and preferences	<ul style="list-style-type: none"> <li>• Same as above</li> </ul>
Audio, electronic, visual or similar information, included voicemail messages, phone and/or video interviews, recorded phone calls, etc.	<ul style="list-style-type: none"> <li>• Same as above</li> </ul>
Characteristics of protected classes, including race, nationality, ethnic origin, gender, gender identity, gender expression, age, disability status, military and veteran status, and other protected classifications under California and federal law	<ul style="list-style-type: none"> <li>• Same as above</li> <li>• For purposes of equal opportunity or affirmative action programs, as required or permitted by law</li> </ul>
Internet or other electronic network activity and geolocation data, including Internet Protocol (IP) address, browsing history, search history, interaction with websites, applications or advertisements	<ul style="list-style-type: none"> <li>• To protect The Larkin Company's Site(s) and Services</li> <li>• To modify, improve and enhance The Larkin Company's Site(s) and Services</li> <li>• To analyze visits and activity on our Site(s)</li> <li>• To promote and market The Larkin Company and its Site(s) and Services. For more</li> </ul>

	<p>information about our use of cookies and online tracking, please see our Cookie Notice</p> <ul style="list-style-type: none"> <li>• To detect security incidents, protect against malware, illegal activity, and/or pursue those re-sponsible</li> <li>• Identify and repair errors that impair functionality</li> </ul>
<p>Payment Information, including credit or debit card numbers</p>	<ul style="list-style-type: none"> <li>• Fulfill your orders and/or complete the transactions you request</li> <li>• Process your payments</li> <li>• Provide you receipts and order updates</li> </ul>

**II. When, To Whom and Why We Disclose or Share This Information**

The Larkin Company does not sell your personal information, and it has not sold any personal information in the preceding 12 months.

We will only share or disclose your personal information as follows:

To perform our Services: We may share your information with service providers who are providing services on our behalf and/or otherwise need to access your information to assist us in providing our Services. We may also disclose your information to third parties, including government agencies, on your behalf and as you may instruct, in providing our Services.

Vendors, consultants and other service providers: We use vendors, consultants and other service providers to assist us in providing our Site(s) and Services, and it may be necessary for us to provide them with access to your personal information, e.g., vendors, consultants and service providers who provide IT support, who provide background checks, and who provide online software solutions as part of our Services, such as any online platform(s) for our Clients and their employees.

In compliance with laws, at your consent or direction, and to protect rights, property and safety: We may preserve and disclose your information if we believe doing so is legally required or appropriate: (i) to comply with applicable laws and regulations, law enforcement or national security requests and legal process, such as a court orders or subpoenas; (ii) in response to your consent or at your direction to disclose the information; (iii) to protect your, our, or another’s rights, property, or safety; or (iv) to enforce our policies or contracts.

Merger, Sale, or Other Asset Transfers: If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of company assets, or transition of

service to another provider, then your information may be shared as part of such a transaction as permitted by law and/or contract.

With your consent: We may share or disclose your personal information for other purposes per your request or with your consent.

The Site(s) may include links to other websites whose privacy practices and policies we do not control. Once you leave one of our Sites, disclosure or provision of your personal information, if any, is governed by the privacy policy and terms of use of the owner of the site you are visiting.

Note regarding our Clients' own policies and procedures: If you are an employee of one of our Clients, your employer will process your personal information in accordance with its own policies and procedures.

### **III. California Consumer Privacy Rights**

Residents of California have rights under the California Consumer Privacy Act of 2018 (CCPA), as amended by the California Privacy Rights Act of 2020 (CPRA) relating to Personal Information that is collected or disclosed. The rights in this section apply solely to California residents, and do not apply to individuals living elsewhere. The following rights are not absolute, and we may be entitled to refuse requests, wholly or partly, where exceptions under applicable law apply. Any terms used in this notice and policy that are defined in the CCPA have the same meaning when used in this Policy.

Right to be informed: You have the right to be informed of the specific personal information we may collect about you, the categories of personal information collected about you, the sources from which your personal information was collected, and the business or commercial purposes for which your information is used, disclosed or sold, as well as the categories of third parties to whom your information is disclosed or sold.

Right of access and to obtain a copy: You have the right to request access to and obtain a copy, no more than twice in a twelve-month period, of your personal information collected during the 12 months before your request. If requested, we shall provide you with a copy of your Personal Information which we collect as permitted by the CCPA. You also have the right to receive your Personal Information in a structured and commonly used format so that it can be transferred to another entity (“data portability”).

Right of deletion: You have the right to request that your personal information be deleted, subject to certain exceptions. For example, your request to delete is subject to the need to complete transactions for which the personal information was collected and comply with legal obligations. Right to Correction. If we maintain inaccurate Personal Information about you, you have the right to request the correction of that Personal Information. Upon receipt of a verifiable request from you, The Larkin Company will use commercially reasonable efforts to correct the inaccurate Personal Information.

Right to opt-out of the sale of personal information: The Larkin Company does not sell or share personal information to third parties within the meaning of the CCPA.

Right to Limit Sensitive Personal Information. The Larkin Company does not collect or process Sensitive Personal Information for the purpose of inferring characteristics.

Right not to be discriminated against: In exercising any of the foregoing consumer privacy rights, you have the right not to be discriminated against. The Larkin Company will not deny you Services or provide you a different level of services for exercising our rights, unless the difference is reasonably related to the value of your information.

If you would like to exercise your rights, please contact The Larkin Company via the following means. You should include your name, address, email address and a description of the request being made.

- By calling us at: 1-888-379-1841
- By emailing us at: [Privacy@TheLarkinCompany.com](mailto:Privacy@TheLarkinCompany.com)
- By writing to us at:

The Larkin Company  
Attention: PRIVACY REQUEST  
1376 Lead Hill Blvd, Ste #150  
Roseville, CA 95661

- By submitting a request via <https://thelarkincompany.com/data-privacy/>

You may also designate an authorized agent to make a request on your behalf. You may make such a designation by providing the agent with your written and signed permission to act on your behalf and by directly confirming with us that you have provided the authorized agent permission to submit the request. As permitted by law, we may require you to verify your identity in response to a request even if you choose to use an agent. The authorized agent will also need to verify its own identity directly with us.

After you or your authorized agent submit a request, we require a high degree of certainty that we have verified that the requester is, in fact, the consumer whose personal information is the subject of the request. We will endeavor to do so using the personal information that we, or one of our vendors, consultants, or service providers, have about the consumer. We may need to obtain additional personal information from the consumer or from other third-party sources to verify the requester's or authorized agent's identity, in which case, such additional personal information will be used solely for verification purposes. If we are unable to verify your identity, we reserve the right to deny your requests.

Other California Privacy Rights: California's "Shine the Light" law (California Civil Code section 1798.83) gives customers who are California residents the right to ask, once a year, (1) what personal information was disclosed to third parties for those third parties' direct marketing purposes in the prior calendar year; and (2) the identities of the companies with whom the information was shared. The terms "customers" and "personal information" have the meaning given by the Shine the Light (California Civil Code Sec 1798.83).



We do not share personal information, as defined in California Code Civil Section 1798.83, with third parties for their direct marketing purposes absent your consent. If you are a California resident, you may request information about our compliance with California's Shine the Light law by sending us a written request to [Privacy@TheLarkinCompany.com](mailto:Privacy@TheLarkinCompany.com) or by mailing us a letter to: The Larkin Company, 1376 Lead Hill Blvd, Ste #150, Roseville, CA 95661, (Attention: Privacy Inquiry). Any such written request must include "California Shine the Light Law Request" in the first line of the description and include your name, street address, city, state, and zip code. We are only required to respond to one Shine the Light law request per customer per year, and we are not required to respond to requests made by means other than through this email address and mailing address. Further note that "Shine the Light" rights and CCPA rights are provided under different statutes and must be exercised separately.

#### **IV. Other State and Country Specific Sections**

This Privacy Policy and Notice also applies to consumers who reside in states or certain countries that have adopted consumer privacy laws. Because of differences in certain state and country laws, this section may apply to residents of one or more states with consumer privacy laws requiring such information. Such states as of the date of this Privacy Policy and Notice are Colorado, Connecticut, and Virginia. Such countries include Canada (collectively "US State & Canada Privacy Laws").

Sale and Use of Personal Information for Targeted Advertising Purposes. Using certain types of information to offer website visitors and consumers certain marketing activities may be considered "selling", or "targeted advertising" under US State and Canada Privacy Laws.

We do not sell or share personal information for purposes of targeted advertising, nor have we done so in the past twelve months.

Use of De-Identified Information. As described in the preceding sections of our Privacy Policy and Notice, we may de-identify personal information in a secure manner when we determine it is appropriate as part of our business operations. We take reasonable measures to maintain and use the information in a de-identified manner. We do not make any attempts to re-identify such information, except as permitted under applicable law.

#### Your rights under Applicable US State and Canada Privacy Laws

To the extent applicable under US State and Canada Privacy Laws, you may have the following rights in connection with your personal information:

You have a right to confirm whether or not we process your personal information as well as to access and receive a copy of the specific personal information we have collected about you.

You have a right to receive the Personal Information, limited to the Personal Information you previously provided to us, in a structured and commonly used format so that it can be transferred to another entity ("data portability").

You have a right to deletion of your personal information, subject to exceptions under applicable US State and Canada Privacy Laws.

You have a right to request correction of any inaccurate personal information we hold about you.

You have a right to opt-out of our sale or our use of personal information for targeted advertising purposes.

Finally, you have a right to receive notice of our practices at or before collection of personal information and you have a right not to receive discriminatory treatment for exercising any of your rights described under this section. We will not discriminate against you based on your exercise of any of your rights.

You can assert these rights only where we receive a verified request from you. For information on how to exercise your rights, please see the Your Information and Rights section above.

Use of Agents. If you are a consumer in a jurisdiction that recognizes the ability to use an authorized agent and wish to contact us through an authorized agent, the authorized agent can submit a request on your behalf to [Privacy@TheLarkinCompany.com](mailto:Privacy@TheLarkinCompany.com) along with a statement, certified as may be required, that the agent is authorized to act on your behalf. In order to verify the request, we may ask you to verify your identity.

Appeals. If you are in a jurisdiction that recognizes your ability to appeal a decision we have made in connection with your attempt to assert a right under applicable US State and Canada Privacy Laws, you may file an appeal of our decision refusing your request to exercise your rights under this Privacy Notice. Requests to change our policies or practices are not grounds for appeal. You may request an appeal of such decision by contacting us at [Privacy@TheLarkinCompany.com](mailto:Privacy@TheLarkinCompany.com), please provide the state that you are writing from, accompanied with documentation you may have regarding the matter you are appealing. If your jurisdiction allows you to file a complaint with the state's Attorney General's Office regarding any concerns with the result of your appeal request, you may do so by using the following links as may be applicable to you. You may submit a complaint to the Attorney General's Office by selecting the appropriate link: Virginia ([www.oag.state.va.us/consumer-protection/index.php/file-a-complaint](http://www.oag.state.va.us/consumer-protection/index.php/file-a-complaint)), Colorado ([coag.gov/file-complaint](http://coag.gov/file-complaint)), and Connecticut ([portal.ct.gov/AG/Common/Complaint-Form-Landing-page](http://portal.ct.gov/AG/Common/Complaint-Form-Landing-page)).

## **V. Your Communication Choices**

Marketing and Promotional Communications: In accord with your marketing preferences and applicable privacy and data protection laws, we may send you updates via email about opportunities or services we think may be of interest to you, such as active job postings that match your criteria, newsletters, articles, surveys, and event information. If you would like to discontinue receiving such marketing or promotional communications from us, you can unsubscribe or opt-out from receiving such marketing communications from us. Where you have consented to our processing of your information, you may withdraw that consent at any time and opt-out of further processing.

## **VI. Cookies and Online Tracking; “Do Not Track”**

The Larkin Company uses “cookies” and similar technologies to help us tailor our Site(s) and your online experiences, and for analytical purposes. For more information about cookies, the types of cookies we use, and how we use them, please see our Cookie Notice.

Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. DNT is a way for users to inform websites and services that they do not want certain information about their webpage visits collected over time and across websites or online services. We do not recognize or respond to browser-initiated DNT signals. For information about “do-not-track”, please visit <https://allaboutdnt.com/>.

## **VII. Children’s Privacy**

Our Site(s) are not directed to children under the age of 13. We do not knowingly collect, use or disclose personal information from anyone under 13 years of age. The terms “personal information” and “child” have the same meaning given to them by the Children’s Online Privacy Protection Act (COPPA). If we learn that a user is under this age, we will not use or maintain his/her personal information. If we become aware that we have unknowingly collected personal information from a child under the age of 13, we will make reasonable efforts to delete such information from our records.

Children’s privacy for California consumers: Under the CCPA, if we learn that a California consumer using any of our Site(s) or interacting with us is younger than 16, we will not sell the consumer’s personal information without a consent from the consumer’s parent or guardian (for consumer younger than 13) or from the consumer (for consumer between 13 and 16 years old). Our Sites are not directed to children, and we do not sell any personal information, including personal information of children under 16, to third parties. If we learn that we have collected personal information from an individual under the age of 16, we will delete this information from our databases in accordance with our deletion procedures. Should you suspect that a child of whom you are the parent or legal guardian has provided us with personal information, please contact us at [Privacy@TheLarkinCompany.com](mailto:Privacy@TheLarkinCompany.com) or at 1-888-379-1841 and we will work with you to address this issue.

## **VIII. Security of Your Information**

We maintain reasonable safeguards to protect your information against unauthorized access, use, or disclosure or accidental loss or destruction, and we require third parties providing services on our behalf to do the same. However, no electronic data transmission or storage of information can be guaranteed to be 100% secure. Please note that we cannot ensure or warrant the security of any information you transmit to us.

## **IX. Links to Other Websites and Third-Party Content**

Our Site may contain links to other third-party websites that are not owned or operated by us. Our Privacy Policy only applies to our Site, and we are not responsible for the privacy practices or the content of other third-party websites. Any information you disclose to other websites are not subject to the provisions of this Privacy Policy. You should check the privacy policies of those sites before providing your information to them.

## **X. Data Retention**

We will retain your information for as long as required to provide our Services, complete the transaction for which your Personal Information was collected, or as otherwise required or permitted by law. We will retain and use this information as necessary to provide our Services, comply with our legal obligations, resolve disputes, enforce our agreements or as otherwise set forth in The Larkin Company Record Retention Policy.

## **XI. Transmission of Information to Other Countries**

The Larkin Company is located in the United States and uses service providers and corporate affiliates that may be located in the United States or Canada.

If you submit personal information to The Larkin Company from Canada, your personal information may be processed in either or both the United States and Canada where privacy laws may be less stringent than the laws in your country. By submitting your personal information to us you agree to the transfer, storage, and processing of your personal information in a country other than your country of residence including, but not necessarily limited to, the United States.

## **XII. Changes and Policy Updates**

We may change information on the Site(s) and/or this Privacy Policy, at any time without prior notice to you, and any changes will be effective immediately upon the posting of the revised Privacy Policy on the Site. We will post a prominent notice of any material changes to the Privacy Policy on the Website, and indicate at the top of the notice when it was most recently updated. We may also notify you by other means, such as sending you an email. We also encourage you to periodically review this page for the latest information on our privacy practices. Your use of the Website following any such change constitutes your agreement to follow and be bound by the Privacy Policy, as amended.

## **XIII. Contact Us**

If you are disabled and would like access to this Privacy Policy in an alternative format, or if you have any questions about this Privacy Policy, please call us at 1-888-379-1841, email us at [Privacy@TheLarkinCompany.com](mailto:Privacy@TheLarkinCompany.com), or send us a written letter to The Larkin Company, 1376 Lead Hill Blvd, Ste #150, Roseville, CA 95661 (Attention: Privacy).

To download and/or print this Privacy Policy, [click here](#).