

**PRIVACY POLICY**

Crawford Chondon & Partners LLP ("CCP") is a law firm that provides management-side labour and employment law advice to employer clients.

Our obligations as legal professionals are governed, in part, by the Rules of Professional Conduct that govern lawyers as members of the Law Society of Upper Canada. These obligations apply to all lawyers, employees, contractors and agents who provide services in connection with our delivery of legal and other services to our clients. Other applicable laws and internal Firm policies govern the protection of personal information of partners, associates and employees of CCP. Consistent with our obligations as legal professionals, we are dedicated to maintaining high standards of confidentiality with respect to the information that has been provided to us.

In addition to existing professional obligations, CCP is committed to ensuring that all handling of personal information occurs in compliance with applicable privacy legislation including the *Personal Information Protection and Electronic Documents Act*. This Privacy Policy (the "Policy") has been prepared to communicate the principles, guidelines and practices that flow from our commitment to protecting the privacy of the personal information of our clients, service providers and other individuals. In particular, the Policy addresses the following:

1. The Professional Relationship
2. The Definition of Personal Information
3. Collection of Personal Information
4. The types of Personal Information we collect
5. Disclosure of Personal Information
6. Consent to Collection, Use and Disclosure
7. Storage, Security and Protection of Personal Information
8. Retention of Personal Information
9. Access and Accuracy
10. Privacy and Our Website
11. Changes to the Privacy Policy
12. Questions and Further Information

1. The Professional Relationship

As a general rule, all information concerning the business and affairs of a person or organization acquired either for the purpose of determining whether CCP will enter into a professional relationship or in the course of a professional relationship shall be held in strict confidence and not revealed to anyone unless expressly or implicitly authorized by the person or organization concerned.

A professional relationship develops when CCP agrees to be retained to provide legal services to a particular individual or organization.

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In order to protect their own interests, individuals or organizations should not send confidential information to CCP until they have had a direct discussion with a lawyer at CCP regarding the retention of CCP to provide legal services.

2. The Definition of Personal Information

Canadian privacy legislation defines "Personal Information" broadly as information about an identifiable individual or as information that allows an individual to be identified. For the purposes of this Policy, Personal Information means information about an identifiable individual as defined from time to time in applicable privacy legislation. Generally speaking, Personal Information does not include what is considered business contact information; i.e. an individual's name, title or position, business address, telephone number, facsimile number, and e-mail address.

3. Collection of Personal Information

CCP collects, uses and discloses Personal Information about our clients and service providers in order to provide our clients with professional legal services as well as for client communication, marketing and internal professional development purposes. More specifically, we collect, use and disclose Personal Information for the following purposes:

- to establish and manage client relationships, provide legal advice, perform legal services, fulfil legal duties, and avoid conflicts of interest;
- to share Personal Information with third parties for the purpose of providing legal services. Such third parties may include opposing parties; parties with common interests; opposing, foreign and other counsel and advisors; witnesses; decision-makers; experts; and service providers such as litigation process servers;
- to establish and maintain commercial relationships with clients, suppliers and other third parties, including to issue invoices, administer accounts, collect and process payments, and to fulfil contractual obligations;
- to understand and respond to client, supplier and other third party needs and preferences, including to contact and communicate with such parties and to conduct surveys, research and evaluations;
- to distribute our *Employers' Edge* newsletters, seminar information and other material to individuals on our mail and e-mail lists;
- to develop and manage our knowledge-management precedent systems and databases;
- to develop and manage CCP's business and operations;
- to detect and protect CCP and other third parties against error, negligence, breach of contract, fraud, theft and other illegal activity, and to audit compliance with CCP's policies and contractual obligations;
- as permitted by, and to comply with, any legal or regulatory requirements or provisions; and
- for any other purpose to which you consent.

4. The types of Personal Information we collect

The types of Personal Information that CCP may collect include an individual's name, home address, telephone number, personal email address, billing and account information, information about an individual's legal issue and other information incidental to providing legal advice and services (including Personal Information about witnesses, family members, beneficiaries, directors, officers, employees, adverse parties, parties-in-interest, investigators, decision makers, experts, other professional advisors, and our clients' business partners, investors, shareholders, competitors and customers whom are individuals).

We do not sell, trade, barter or exchange any information obtained, including and especially any information obtained in the course of professional relationships.

5. Disclosure of Personal Information

In addition to disclosing information in accordance with the provision of legal services to you, from time to time, CCP may disclose your Personal Information to:

- service providers, including an organization or individual retained by CCP to perform functions on its behalf, such as marketing, data processing, document management and office services;
- an organization or individual retained by CCP to evaluate your creditworthiness or to collect debts outstanding on an account;
- a financial institution, on a confidential basis and solely in connection with the assignment of a right to receive payment, the provision of security or other financing arrangements;
- a person who, in the reasonable judgment of CCP, is providing or seeking the information as your agent; or
- any third party or parties, where you consent to such disclosure or where disclosure is required or permitted by law.

6. Consent to Collection, Use and Disclosure

By submitting Personal Information to CCP or its service providers and agents, you agree that we may collect, use and disclose such Personal Information in accordance with this Privacy Policy and as permitted or required by the Law Society of Upper Canada Rules of Professional Conduct and/or law. Subject to legal and contractual requirements, you may refuse or withdraw your consent to certain of the identified purposes at any time by contacting CCP's Chief Privacy Officer identified below. If you refuse to consent or withdraw your consent, we may not be able to provide you or continue to provide you with certain services or information which may be of value to you. If you provide CCP or our service providers and agents with Personal Information of another individual, you represent that you have all necessary authority and/or have obtained all necessary consents from such person to enable us to collect, use and disclose such

Personal Information for the purposes set forth in this Privacy Policy and in accordance therewith.

There are circumstances where collection, use or disclosure may be justified or permitted or where we are obliged to disclose information without consent. These circumstances could include:

- Where the information is publicly available;
- Where required by law or by order of a court or tribunal;
- Where we believe, upon reasonable grounds, that there is an imminent risk of death or serious bodily harm to an identifiable person or group;
- Where it is alleged that a partner, associate or employee of CCP is guilty of a criminal offence; liable in a legal action or guilty of malpractice or misconduct;
- Where it is necessary to establish or collect fees.

In such circumstances, we will not collect, use or disclose more information than is required.

7. Storage, Security and Protection of Personal Information

CCP endeavours to maintain adequate physical, procedural and technical security with respect to our offices and information storage facilities so as to prevent any unauthorized access, disclosure, copying, use or modification. Your Personal Information is stored in secured locations and on servers controlled by CCP, located either at our office or at the offices of our services providers. To help protect the confidentiality of your Personal Information, CCP employs physical, administrative and technological safeguards appropriate to the sensitivity of your Personal Information. For instance, we operate secure data networks protected by industry standard firewall and password protection systems. In addition, where Personal Information is sent to a third party for processing, we make sure, through our contracts with such third parties, that all Personal Information is kept secure.

8. Retention

Because of the nature of the professional relationship and the services we provide it is our practise to retain our files and the Personal Information contained therein for fifteen (15) years. This retention policy has developed:

- (a) For the convenience of our clients, many of whom have expressed their expectation that we retain our copies of their files many years after the legal services for which we were retained have been performed and completed in case they require access in the future;
- (b) To accord with statutory limitation periods; and
- (c) For the protection of our clients, lawyers and staff who may require access to the files in order to defend civil, criminal or regulatory proceedings

commenced against them relating to the matters for which CCP has been retained.

9. Access and Accuracy

Access requests should be sent to our Chief Privacy Officer, using the contact information provided below. Upon receiving a written request and subject to any applicable exemptions, CCP will inform you of the existence, use, and disclosure of your Personal Information and will give you access to that information and the opportunity to correct any inaccurate Personal Information that is in the possession of CCP. CCP endeavours to maintain the accuracy of any information in its possession, with respect to active matters. Information contained in closed files is not actively updated or maintained.

We encourage our clients and other individuals to make efforts to advise CCP's lawyers and staff of any changes in the information that we have in our possession.

10. Privacy and our Website

- **Cookies** - In browsing the Internet, you will encounter a technology called "cookies" which can be used to provide you with specific information from a Web site. A "cookie" is an element of data that a Web site can send to your browser, which may then store it on your system. CCP's website does not currently use cookies.
- **E-Mail Communications** - In order to provide our website visitors with a service or information, visitors may voluntarily submit Personal Information to us via email for purposes such as asking a question, obtaining information, reviewing or downloading a publication or participating in a seminar or other event. OCCPsionally, we may send marketing or promotional e-mail communications to you with information that may be useful, including information about a legal update or the CCP's services. We will include instructions on how to unsubscribe and inform us of preferences if you decide you do not want to receive any future marketing or promotional e-mails from CCP. CCP does not guarantee the confidentiality of any communications made by you via e-mail or otherwise through our website and cannot guarantee that any such communications are protected by solicitor-client privilege. If you wish to provide information of a confidential or sensitive nature to one of the lawyers or employees of our firm, please contact them directly by telephone to arrange for delivery/transmission of such information by secure means.
- **Links** - Our website may contain links to other websites which are provided as a convenience only. Visitors are advised that other third party websites may have different privacy policies and practices than CCP, and CCP has no responsibility for such third party websites.

11. Changes to the Privacy Policy

CCP reserves the right to modify or supplement this Policy at any time. If we make a change to this Policy, we will post such changes on our website and make such revised policy and changes available upon request to CCP's Chief Privacy Officer. However, CCP will obtain the necessary consents required under applicable privacy laws if it seeks to collect, use or disclose your Personal Information for purposes other than those to which consent has been obtained, unless otherwise required or permitted by law.

12. Questions and Further Information

Any question concerning the management of their Personal Information, should first be addressed by the client to the lawyer responsible for the client's legal affairs. In addition, CCP has appointed a Chief Privacy Officer to oversee compliance with this Policy and applicable privacy laws. Any questions related to this Policy or the handling of Privacy Information by CCP can be addressed with the Privacy Officer at the contact information below:

CHIEF PRIVACY OFFICER

Crawford Chondon & Partners LLP

If you are not satisfied with CCP's response to a privacy related matter, you may contact the Office of the Privacy Commissioner of Canada at 1-800-282-1376 or at www.privcom.gc.ca.