

HERO PRIVACY POLICY

Scope

This Privacy Policy describes how we handle your personal information in connection with your visits to the HERO website (the “Site”) and your use of the Site. It also covers our treatment of any information about you that third parties share with us or that we share with third parties. Personal information is information about you that is personally identifiable, such as your name, address, email address, or telephone number, and that is not otherwise publicly available.

By accessing and using this Site, you are accepting and agreeing to be legally bound by this Privacy Policy [**and the Terms and Conditions of Website Use**] and thus are expressly consenting to our collection, storage, accessing, use, transfer, analysis, and disclosure of your personal information as described in this Privacy Policy. It is important to read this Privacy Policy carefully.

Collection of Your Information

You can browse the public areas of the Site without telling us who you are or revealing any personal information about yourself. However, once you give us your personal information, you are no longer anonymous to us. If you choose to provide us with personal information, you consent to the transfer and storage of that information on our servers and/or the servers of our third-party host.

We may collect and store the following personal information:

- Your name, telephone number, email address, address, fax number, gender, social media contact information (e.g. Twitter, Facebook, or LinkedIn), employer name, and biographical information (e.g. job title and credentials) if provided to us through the Site
- Transactional information based on your activities on or through the Site, such as content you submit to the Site;
- Correspondence through the Site, and any correspondence sent to us;
- Computer sign-on data, statistics on page views, and traffic to and from the Site;
- Other information, including IP addresses and standard web log information; and
- Information from third parties.

Creation of a User Account

The Site provides the opportunity to create a user account (an “Account”) as part of your use of the Site. Use of certain areas of the Site, such as the HERO Think Tank Resource Center or the HERO Library, may require the creation of an Account [**as described in the Terms and Conditions of Website Use**]. However, you are not required to create or maintain an Account in order to have access to or use the public areas of the Site.

If you create an Account, you will be asked for certain information, such as your name, email address, job title, employer name, address, telephone number, and password (“Account Information”). We may use Account Information, alone or together with other information, to enhance and improve the Site.

User Content

By default, all content posted or uploaded by a user to the HERO Library on the Site (“User Content”) is viewable by other users within the HERO Think Tank Resource Center. You should assume that anything you post or upload to the Site is accessible by other users, and you may lose any privacy rights you might have regarding such content. Please keep in mind that anything you share with another user may be posted to the HERO Library by that user. Additionally, information shared on the HERO Library may be copied and shared throughout the Internet.

HERO Scorecard

The Health Enhancement Research Organization (“HERO”) is a national non-profit organization focused on identifying and sharing best practices in the employee health management field for the purpose of improving the health and well-being of employees, retirees, and their families. One of HERO’s methods for accomplishing these goals is the HERO Employee Health Management Best Practices Scorecard in Collaboration with Mercer (the “Scorecard”), which may be completed on behalf of your organization to aid in planning your organization’s employee health management strategies and comparing your organization’s strategies to the practices of other organizations nationwide.

The Scorecard is designed to collect information at the entity or organization level, as opposed to individualized personal information. Information submitted by use of the Scorecard is collected by a third-party vendor in collaboration with HERO and stored on the vendor’s servers. Such third-party vendor is also responsible for calculating participants’ scores based on submitted information. However, HERO, through separate agreements and arrangements with such vendor, has the right to access, receive copies of, and store information submitted through the Scorecard, the Scorecard results, and information derived from the submitted information and results (collectively, “Scorecard Data”), and HERO may use and disclose the Scorecard Data pursuant to the Scorecard’s terms and conditions and as described in this Privacy Policy.

Event Registration

Users of the Site have the opportunity to register for meetings, forums, seminars, and other scheduled events. Registration for such events may require the creation of a registration profile (a “Profile”). If you create a Profile, you will be asked for certain information, such as your name, password, gender, email address, telephone number, fax number, address, employer name, employer website, credentials, job title, and a biographical statement (e.g. the department in which you are employed and your position within such department or your organization) (“Profile Information”).

Profile Information is collected by a third-party vendor, which is not owned, controlled, employed, or managed by HERO (the “Registration Vendor”), and stored on the Registration Vendor’s servers. This Privacy Policy does not govern the practices of the Registration Vendor. If you disclose your information to the Registration Vendor, different rules may apply to their use or disclosure of the information you disclose to them. You acknowledge that if you provide information to the Registration Vendor, that information will be subject to the privacy policy of the Registration Vendor, which may differ from this Privacy Policy. We are not responsible for the content or privacy policy of the Registration Vendor.

Although HERO does not directly collect Profile Information that is submitted to the Registration Vendor, HERO does have access to such information. Any Profile Information accessed by HERO may be used pursuant to this Privacy Policy.

Protected Health Information

The Site is not designed or equipped to collect, and does not desire to receive, protected health information. It is the Site’s policy that no user may submit any protected health information, whether belonging to the user or others, to or through the Site, including as part of the user’s completion of a Scorecard. Further, your content or information may be deleted and your Account, if you have created one, terminated without warning if you submit content or information which we reasonably believe, in our sole and absolute discretion, contains protected health information.

Use of Your Information

Our primary purpose in collecting and/or accessing personal information pursuant to this Privacy Policy is to provide the Site and its services and provide you with a smooth and efficient Site experience. You agree that we may use your personal information to:

- Provide, enhance, improve, and develop the Site and its services;
- Provide scheduled meetings, forums, seminars, and other events for which you have registered;
- Resolve disputes and troubleshoot problems, including fighting spam, malware, and identify theft;
- Prevent potentially unsafe, prohibited, or illegal activities and enforce this Privacy Policy [**and the Terms and Conditions of Website Use**]; and
- Measure and improve our services and the Site’s content and layout, including by identifying popular content.

Use of Scorecard Information

As stated above, HERO may use Scorecard Data pursuant to the Scorecard’s terms and conditions. Any use of your organization’s individually identifiable data for research or other purposes will require your organization’s prior written consent. However, aggregated information with no individual organization identifiers may be used by HERO for normative and research purposes in the field of employee health management, and aggregated results of such

research may be published.

Our Communications

You may receive emails and other communications from us which you can opt-out of receiving. Additionally, we may use your personal information, including your name, email address, address, and telephone number, to respond to communications from you. We may also use your personal information to respond to your requests for additional information or updates related to HERO, the Site, content provided on the Site, and general information to provide the results of, and any other information related to, your submission of a Scorecard; to provide information and updates related to events for which you have registered or requested information; and to respond to your requests for, and purchases of, Scorecard benchmark reports and similar documents.

We may also send you administrative communications relating to your Account, such as communications for the purpose of Account recovery or resetting a password. These communications are considered part of your Account, and you may not be able to opt-out from receiving such communications. We will never email you to ask for your password or other Account Information. If you receive such an email, do not reply with your Account Information, and please forward the email to us.

Disclosure of Your Information

Public Nature of User Content

As noted above, User Content posted or uploaded to the HERO Library is shared with other users with access to the HERO Library through their Accounts. This kind of information can be seen by anyone accessing the HERO Library. Thus, you should be careful about what you choose to disclose on the HERO Library and make sure that it is information you are willing, and permitted, to share with others.

Disclosure of Scorecard Data

HERO may disclose Scorecard Data pursuant to the Scorecard's terms and conditions. Such disclosure includes disclosure of aggregated information with no individual organization identifiers to third parties for research purposes in the field of employee health management. Additionally, aggregated results of such research studies may be published. HERO may also disclose the names of any organizations which have completed the Scorecard, omitting such organizations' contact information, and a list of such names may be published. However, your organization's individually identifiable responses to the Scorecard will be kept strictly confidential, and any disclosure of your organization's individually identifiable Scorecard Data for research or other purposes will require your prior written consent.

Disclosure to Third-Party Service Providers

Notwithstanding any other provisions of this Privacy Policy, in some cases, we may share information that we collect or have access to, including, but not limited to, personal information, with third parties, such as service providers, consultants, and other agents ("Service Providers"),

for the purpose of operating, enhancing, and improving the Site; providing Site-related services, such as scheduled events and Scorecard benchmark reports; developing new services; responding to communications and requests from you; responding to your requests for additional information or updates related to HERO, the Site, content provided on the Site, and general information regarding employee health and well-being; and providing the results of, and information related to, your submission of a Scorecard. For example, we may share information with such Service Providers in order to conduct scheduled events and/or fight spam. Service Providers with whom we share such information for these reasons are generally bound by confidentiality obligations, and, unless we tell you differently, our Service Providers do not have any right to use information that we share with them beyond the scope and duration of what is necessary to assist us.

Disclosure upon Your Request

Additionally, we may also share your personal information with third parties to whom you explicitly ask us to send your information. If you ask us to release information that we have about your Account, we will do so if it is reasonable and not unduly burdensome.

Additional Disclosure Rights

Notwithstanding any other provisions of this Privacy Policy, we also reserve the right to access, preserve, and disclose any information, including, but not limited to, personal information, as we reasonably believe is necessary, in our sole and absolute discretion, to respond to legal requirements, including responding to law enforcement or other governmental officials in response to a verified request relating to a criminal investigation or alleged illegal activity. In such events, we may disclose information such as an email address, user history, content history, and other information requested by law enforcement. Similarly, notwithstanding any other provisions of this Privacy Policy, we reserve the right to access, preserve, and disclose any information as we reasonably believe is necessary, in our sole and absolute discretion, to enforce our policies, including **[the Terms and Conditions of Website Use and]** this Privacy Policy, including investigation of potential violations of such policies; to detect, prevent, or otherwise address fraud, security, trust and safety, or technical issues; to respond to user support requests; to respond to claims that content violates the rights of others; or to protect the rights, property, health, or safety of ourselves, our users, any third parties, or the public in general.

We may share or disclose non-private information or other non-personally identifying information with people and entities that we do business or collaborate with.

Credit Card Information

As described above, the Site provides the opportunity to register for meetings, forums, seminars, and other scheduled events hosted by HERO. The Site also permits you to purchase Scorecard benchmark reports to aid in planning your organization's employee health management strategies. When paying for services provided in connection with the Site, you will be asked for credit card information, including your credit card number, expiration date, and security code. This information is collected and processed by our third-party payment processor, which is not

owned, controlled, employed, or managed by HERO (the “Third-Party Payment Processor”). This Privacy Policy does not govern the practices of the Third-Party Payment Processor. If you disclose your information to the Third-Party Payment Processor, different rules may apply to their use and disclosure of the information you disclose to them. You acknowledge that if you provide information to the Third-Party Payment Processor, that information will be subject to their user agreement, privacy policy, and other applicable policies, which may differ from this Privacy Policy. We are not responsible for the content or privacy policy of the Third-Party Payment Processor.

We do not store or collect any credit card information that is submitted to our Third-Party Payment Processor, but we do have access to such information. Any credit card information accessed by us will be used solely for the purpose of verifying and completing your order.

Marketing

We do not sell or rent your personal information to third parties for their marketing purposes without your explicit consent. We may combine your information with information we collect from third parties, such as demographic data, to improve and personalize our services. If you do not wish to receive marketing communications from the Site, simply contact us at info@hero-health.org and opt-out. Please note that even if you opt-out, we may still, at our option, contact you via email regarding Site information, including, without limitation, scheduled maintenance, changes in terms, enforcement of **[the Terms and Conditions of Website Use and]** this Privacy Policy, and as otherwise described in this Privacy Policy.

Cookies

We use “cookies” (small files placed on your hard drive) on certain pages of the Site to help analyze our web page flow, customize our services, measure Site and promotional effectiveness, and promote trust and safety. We may set and access cookies on your computer. All users can access and delete cookies through their web browser settings.

A few important things you should know about cookies are that:

- We offer certain features that are only available through the use of cookies.
- We use cookies to help identify you and maintain your signed-in status.
- Most cookies are “session cookies,” meaning that they are automatically deleted from your hard drive at the end of a session.
- You are always free to decline our cookies if your browser permits, although doing so may interfere with your use of the Site.
- Other companies’ use of their cookies is subject to their own privacy policies, not this Privacy Policy. Other companies do not have access to our cookies.

Third Parties

This Privacy Policy addresses only the use and disclosure of information the Site collects from you or that third parties share with us. It does not apply to the practices of third parties that we do not own, control, employ, or manage, including, but not limited to, any third party websites, services, applications, or businesses (“Third Party Services”). Additionally, this Privacy Policy does not govern the practices of other users of the Site. If you disclose your information to others, whether they are users or businesses on our Site or other sites throughout the Internet, different rules may apply to their use or disclosure of the information you disclose to them. You acknowledge that if you provide information to third parties, that information will be subject to the privacy policies of those third parties, which may differ from this Privacy Policy. We are not responsible for the content or privacy policies of other users or Third Party Services, and we encourage you to ask questions before disclosing your personal information to others.

Children

We are very sensitive to children’s privacy issues. We encourage parents and guardians to supervise their children’s online activities and consider using parental control tools available from online services and software manufacturers. These tools can prevent children from disclosing their name, address, and other personal information online without parental consent.

It is the Site’s policy that no individual under the age of 13 may submit any personal information to the Site, including, for example, a name, address, telephone number, or email address. Further, your content or information may be deleted and your Account may be terminated without warning if we believe that you are under 13 years of age, if we believe that you are under 18 years of age and you represent your age as 18 or older, or if we believe you are over 18 and you represent yourself as under 18.

Security

Personal information provided through the creation of your Account, if you have one, is protected by a password for your privacy and security. We may enable additional security features in the future. It is important that you prevent unauthorized access to your Account and information by creating a unique, secure, and protected password and limiting access to your computer or browser by signing off after you have finished accessing your Account on the Site.

Third parties may unlawfully intercept or access transmissions or private communications. Therefore, although we work very hard to protect your privacy, we cannot guarantee the security of information or that your personal information or private communications will always remain private. Unauthorized entry or use, hardware or software failure, and other factors may compromise the security of user information at any time.

No Spam or Spoofing

To report Site-related spam or spoof emails to the Site, please forward the email to info@hero-health.org.

You may not use the Site to send spam **or otherwise send content that would violate our Terms and Conditions of Website Use.**

Editing and Deleting Your Account

If you have created an Account, you can access most information associated with your Account. You can edit your Account Information, including your marketing preferences, at any time. If you choose to delete your Account, you may do so by accessing your Account or by emailing us and providing proof of authority over the Account. Sufficient proof of authority will vary depending on the circumstances, but it will generally require sufficient identifying information so that we are confident that you are the owner of the Account. Note that deleting your Account may not fully remove your User Content from our system, as caching of, backups of, copies of, or references to your Account Information may not be immediately removed. In addition, given the nature of the Site, some of the activity through your Account prior to its deletion, such as reposting of your User Content by other users, may remain stored on our servers and accessible to other users within the HERO Library.

Changes to the Privacy Policy

We may amend this Privacy Policy at any time [**pursuant to the process for amendments set forth in our Terms and Conditions of Website Use and**] by posting the amended Privacy Policy on the Site. If you have created an Account, we will notify you of such amendments by sending a notification to the last email address you provided to the Site. All amended terms automatically take effect after they are initially posted on the Site, unless a change in any applicable law requires immediate amendment. Use of information we collect or access is subject to the Privacy Policy in effect at the time such information is collected or accessed.

Questions & Concerns

If you have any questions or concerns regarding this Privacy Policy, please contact us at: info@hero-health.org .