



Last Modified: June 29, 2018

S.R.Smith, LLC (“S.R.Smith”, “Company”, “we”, “us”, and “our”) manufactures and sells commercial and residential pool deck equipment (rails, slides, diving boards, games, starting blocks), ADA pool lifts and pool lighting products. This privacy policy (“Policy”) sets forth the personal data that S.R.Smith collects from you through our interactions with you, the interactions of third parties who support us or who work with us to provide Products and Services to you, and through our Products and Services. The Policy discusses how we use that personal data and how you may interact with us about your personal data.

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Please read this Policy carefully to understand our policies and practices regarding your personal data and how we will treat it. ***By submitting personal data to us and/or by using our website, you give your consent that all personal data that you submit may be processed by us in the manner and for the purposes described below. If you do not want us to process your personal data, please do not provide it, but you may not be able to take advantage of our Products and Services or certain features of our Products and Services.*** For example, we need to collect personal data from you so that you can pay for our products and we can ship them to you.

1. Scope of the Policy

This Policy applies to all personal data provided to us when you use our products and services, our website, www.srsmith.com, personal data we obtain from our social media platforms such as Twitter (<https://twitter.com/srsmithllc>), Facebook (<https://www.facebook.com/srsmithpools>), Instagram (<https://www.instagram.com/srsmithpools/>), LinkedIn (<https://www.linkedin.com/company-beta/129119/>) and YouTube (<https://www.youtube.com/user/SRSmithLLC>), personal data we obtain from you when you purchase our Products and Services on other websites or personal data we obtain through our payment systems, business communications, marketing communications, demonstrations, promotions, help desk, knowledgebase, web contact forms, communications via social media, comments, email, live chat, facsimile, phone, in person, business cards and any other methods of communication, all support services we may offer, all personal data provided through third parties who support us, who work with us to provide our Products and Services to you and who are part of our sale channel, and all oral and written communications about job applications (collectively our “Products and Services”). This Policy does not apply to any third party site or service linked to or from our website or social media channels or any site or service recommended or referred to by our websites or by our staff. It



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also does not apply to the third parties who host our social media channels (e.g., Twitter, Facebook, Instagram, LinkedIn or YouTube) or who sell our Products and Services.

2. Transfers of personal data outside the EEA

The personal data that we collect from you may be transferred to, and stored at, a destination outside of the European Economic Area (“EEA”), which may provide different or less comprehensive privacy and or security protections for the personal data. ***By submitting your personal data, you are agreeing to this transfer, storing or processing outside the EEA.*** If we transfer your personal data outside of the EEA in this way, we will take steps to ensure that your personal data is treated in accordance with this Privacy Policy.

3. Information We Collect

We collect personal data from you in several ways while we market our Products and Services, interact with our customers, store users’ data, ship to our customers and end users and provide our Products and Services. You provide us with personal data directly, we collect personal data automatically, and we may get personal data about you from other sources. We may collect personal data from you when you register as a user or to learn more about our products, request a demo or evaluation, provide comments and suggestions, sign up for newsletters, enter promotions, interact with us on our social media channels, order Products and Services, request and utilize maintenance and support services, request white papers, sign up for events or seminars, submit content or send us feedback. ***If you do not want us to collect this personal data, please do not provide it.*** We directly collect the following types of personal data that you provide to us:

a. Information You Provide to Us

i. User information. User information includes, without limitation, personal data:

- You provide to us when you register as a Pool Enthusiast on our site, place an order for brochures, subscribe to our email newsletter, fill out a form such as product registrations forms and warranty cards and fill out a survey about our Products and Services.
- About prospective and current customers and other parties interested in S.R.Smith and its Products and Services.
- Collected about our customers and the individuals to whom they send our Products and Services such as name, home, work and other locations, physical addresses, phone numbers and email addresses, payment information, delivery contact names and addresses, alternate contact information, birthday months and days.
- You provide us to receive newsletters, information on our social media channels, and other information to received promotional details.
- You provide to us in in any online forms or in your communications with us, including without limitation by e-mail, facsimile, live chat, telephone and our social media channels.

- Used by you to sign up for an account on our website, including user name, password, information to reset user name or password, alternative forms of payment, address book information for individuals to whom you may choose to send our Products and Services and other details that you choose to maintain in your account.
- You share with us when you ask questions about our Products and Services, placing orders, status of orders, requesting replacements or returns and other ordering details or requesting us to process a repair or replacement under warranty.

ii. **Business account information.** Business account information is business-contact information and other personal data that we collect from individuals who represent companies that do business with us. This includes businesses which order our Products and Services for their customers or the end users of our Products and Services, third parties who direct customers to us, businesses who sell our Products and Services directly to other companies or individuals, distributors, our service providers, businesses which market our Products and Services, and any other businesses who are in our sales channel. Business account information includes, without limitation, the following types of personal data: name, title, job function, business name, business address, business e-mail address, business phone number, personal logins, passwords, electronic signatures, payment information, orders, name and contact details for recipient(s) of Products and Services, and any other personal data collected when the business enters into the business relationship with us, provides us with its goods or services, shares User information with us, when the business selects, orders or receives Products and Services, provides or receives payment, or provides us with personal data about individuals who may receive our Products and Services via the business.

iii. **Job applicants.** We may collect information about you during the application or recruitment process, including your name and contact details, qualifications, skills, references, current and preferred benefits, salary, CV, cover letter, work experience, education, and transcripts; information you provide us when submitting applications or participating in interviews; whether you have a disability for which the organization needs to make reasonable adjustments; information about your ability to work in a specified location; information about moving; information from your passport, driver's license, or other identity or credential documents; and other information required by law or deemed necessary by us to evaluate your candidacy. We may process special categories of data when relevant for a position and required or permitted by law. If we collect special categories of data from an individual residing in the EU or Switzerland, you will be provided notice and the opportunity to consent to processing as described at the point of collection and this Privacy Policy. Please be aware that if you do not provide us with requested information during the recruitment process, we may not be able to process your job application properly, or at all.

b. **Information We Automatically Collect from You When You Use the Products and Services.** The information we collect automatically may include personal data, or we may maintain it or associate it with personal data we collect in other ways or receive from third parties.

i. **Information collected through our cookies, web beacons and other tracking technologies.** We, or others operating on our behalf, may use technologies such as "cookies", "web beacons," "tags", "scripts" and other tracking technologies to automatically collect personal data



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from you when you use the Products and Services. Cookies are small amounts of data that are stored within your Internet browser, which saves and recognizes your browsing habits. S.R.Smith uses both session cookies (which track a user's progression during one site visit) and persistent cookies (which track a user over time). Web beacons (also called pixel tags or clear GIFs) are web page elements that can help deliver cookies, count visits, track browser type, identify your IP address, understand usage and marketing campaign effectiveness, recognize certain types of information on your computer, in your email or on your mobile device, such as the time and date you viewed a page, which emails are opened, which links are clicked, and similar information.

We use these cookies and other trackers to help us provide you with a more personalized experience and to improve our Products and Services. Users can control our use of cookies and other trackers at the individual browser level. If you reject cookies or the other trackers, you may still use our Products and Services, but your ability to use some features of our Products and Services may be limited.

We may rely on third parties to manage our advertising on other websites. They may use technologies such as cookies and web beacons to gather information about your browsing on our website and on other sites to provide you advertising based upon your browsing activities and interests.

Please note that if you disable cookies, some Products and Services or website functionality may not be available. We use the following types of cookies:

- **Essential cookies.** These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, and to use online forms.
- **Functional cookies.** These cookies are used to recognize you when you return to our website. This enables us to personalize our content for you, greet you by name, and remember your preferences. These cookies also record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and communications sent more relevant to your interests.
- **Analytical cookies.** These cookies allow us to recognize and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
- **Marketing/targeting cookies.** On our Products and Services, we might use remarketing cookies of certain display advertising service providers. These serve the purpose of displaying advertisements to those users of third-party websites that have previously visited one of our Products and Services. For this purpose, we collect the information that a certain user has viewed specific Products and Services. This information will be linked to a marketing cookie – a text file that is placed on your device by the display advertising service provider. When you visit other websites, specific advertisements regarding our Product and Services, including without limitation promotional offers, may be displayed to you based on your past visit to our Products and Services.



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ii. **Log files.** We gather certain personal data automatically and store it in log files. This information may include internet protocol (IP) addresses and usage data such as browser type, browser language, device identifier, Internet service provider (ISP), referring/exit pages, length of visit, pages viewed, operating system, date/time stamp, clickstream data, crashes, system activity, hardware settings, the date and time of requests, referral URL and other usage data. We may combine this automatically-collected log information with other information we collect about you. If you reach out to us over the telephone or via facsimile, we may also log telephony information such as your phone number, forwarding calls, SMS routing information and types of calls. We may also log any other communication you make to us and the method you used to make the communication.

iii. **Products and Services Use.** We may use technologies to automatically collect personal data from you when you use the Products and Services, including without limitation details of how you used our Products and Services and your search queries. We collect this personal data to, among other things, provide you information and to perform benchmarking based upon your usage of the Products and Services, which are used in analyzing trends, making decisions about whether to continue to offer or improve certain Products and Services, to develop new Products and Services, tracking users' utilization and to gather information about our customer user base as a whole.

iv. **Device Information.** We collect personal data about the device you use to access our Site and our Products and Services, including without limitation the hardware model, operating system and version, unique device identifiers and mobile network information. We may associate your device identifiers and phone number with the account(s) you opened with us.

v. **Location Information.** When you use our Products and Services, we may collect and process personal data about your actual location. We may use IP address, beacons, GPS and other sensors that provide information about nearby devices, Wi-Fi access points and cell towers.

vi. **Local Storage of Information.** Our Products and Services may collect and store personal data locally on your device, including without limitation browser web storage, local drive storage and application data caches.

c. **Information We Get From Others.** We may get personal data about you from other sources such as from companies we hire to market our Products and Services, from trade shows and conferences and from other businesses in our sales channel. We may add this personal data to the information we collect on you.

4. How We Use the Information We Collect

We may use personal data collected from or about you for any of the following purposes:

a. **Verify Users.** Authenticate your identity, including without limitation to provision or grant you access to your account, change user credentials, respond to requests for information about your orders, your personal data and details about our business relationship.

b. **To respond to your requests or to tailor content.** We may respond to your inquiries or requests, which may include processing orders, sending confirmations, providing invoices, processing



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requests for information about our Products and Services and processing downloads for whitepapers, demonstrations or evaluations. We may use your personal data to customize our Products and Services. We may also use your personal data to personalize your experience, provide you with more relevant information and advertisements about our Products and Services.

c. **To provide Products and Services to you.** We may use personal data we or others on our behalf have collected from you to ensure that we deliver our Products and Services to you and to communicate with you about the status of our delivery of Products and Services. We may provide support and related Products and Services information via our website or social media channels and through businesses with whom we market or sell our Products and Services. We may also use your personal data to provide you Products and Services updates and notices. We may keep a record of your communications and ours to provide improved customer service to you and others, including without limitation recordings of customer support phone calls, retention of live chat communications and saving of all email correspondence. We may use your data as necessary to maintain our business relationship with you and to fulfil our commitments to you, including without limitation processing transactions with you such as brochure orders, warranty claims and product registrations and shipping Products and Services to the individual or business designated by you.

We may also use personal data to prepare reports, and provide educational, training, maintenance and support services for which you have inquired or contracted. We may provide technical support and related product information via our customer support portal. We may also use your personal data to provide you Services updates and notices. We may keep a record of your communications and ours to provide improved customer service to you and others, including without limitation recordings of customer support phone calls, retention of live chat communications and saving of all email correspondence. We may use your data as necessary to maintain our business relationship with you and to fulfil our commitments to you.

d. **To provide informational services.** We may use personal data while providing online information such as status of delivery, user forums, comments or public communications. We may also do so while delivering live or online events such as training or participating in trade shows, including at third-party events sponsored by S.R.Smith or where S.R.Smith presents or participates.

e. **Prevent improper or illegal activity.** We may use personal data to protect, investigate and deter against fraudulent, unauthorized or illegal activity.

f. **To assist you in making your payments.** We may use personal data, including without limitation your financial information, to bill you for Products and Services and to collect your payments.

g. **To meet legal requirements.** S.R.Smith may be required to provide personal data to comply with legally mandated reporting, subpoenas, court orders, or other legal process requirements.

h. **To market and improve our Products and Services and to create new Products and Services.** We may inform you about our Products and Services, events and otherwise perform marketing activities. Further, we may use personal data for analytics purposes and to operate,

maintain and improve our Products and Services. We may also use personal data to create new Products and Services.

i. **Contests, sweepstakes, promotions and rewards.** We may use personal data to administer and process contests, sweepstakes, promotions and rewards, including without limitation sending emails about such activities, processing entries, notifying participants of winners, complying with applicable laws and regulations and delivering rewards. Your consent to promotional use and disclosure of your contest, sweepstakes, and /or rewards information may be a condition of receiving any prize and will be subject to our Terms of Use. You will be informed of any such condition at the time of entry into the contest, sweepstake, promotion or reward.

j. **With your consent.** We may share some or all of your information to any other third party with your affirmative consent. For instance, we display personal testimonials of satisfied customers in addition to other endorsements. With your consent we may post your testimonial along with your name. If you wish to update or delete your testimonial, you may contact us at info@srsmith.com.

k. **Anonymized or aggregate information.** We may share aggregate or de-identified information without restriction. If personal data is subject to the General Data Protection Regulation 2016/679 (“GDPR”), then it will only be considered aggregate information under this policy if it has been anonymized in compliance with GDPR.

l. **Job application data.** If your application is successful, we may share your job applicant information with other third parties to obtain references and perform background checks and other actions necessary for the employment process.

m. **Business maintenance.** We may use your personal data as necessary to perform as a business, to prepare our financials, to prepare materials for accounting, to perform internal audits, to assess the quality of our Products and Services, to pay taxes and to perform other regular business operations.

n. **Other purposes.** We may use personal data for any other legal, business or marketing purposes that are not inconsistent with the terms of this Policy and applicable laws and regulations.

o. **Some specific examples of how we use cookies:**

i. **Store your preferences and settings.** Settings that enable our website to operate correctly or that maintain your preferences over time may be stored on your device. We may save preferences, such as device (e.g., computer, laptop, or mobile device) language, browser, and multimedia player settings, so those do not have to be reset each time you return to the site. If you opt out of interest-based advertising, we store your opt-out preference in a cookie on your device. Cookies can also help you fill out forms on our site.

ii. **Sign-in and authentication.** When you sign into one of our Products and Services using your personal account, we store a unique ID, and the time you signed in, in an encrypted cookie on your device. This cookie allows you to move from page to page within the site



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without having to sign in again on each page. You can also save your sign-in information so you do not have to sign in each time you return to the site.

iii. **Security.** We use cookies to enable and support our security features, to detect fraud and abuse of or other malicious activity on our Products and Services and violations of our Terms of Use.

iv. **Store information you provide to a website.** When you provide personal data to our website, we may store the information in a cookie.

v. **Social media.** Some of our Products and Services include social media cookies, including without limitation sharing service offering pages and blog posts from our website using our sharing links and enabling users who are logged in to the social media service to share content via that service.

vi. **Feedback.** We use cookies to enable you to provide feedback on our Products and Services.

vii. **Performance, analytics, and research.** We also use cookies to provide and improve our Products and Services and your experience. We use cookies to ensure even performance of our Products and Services and to gather usage and performance data. We use cookies to count the number of unique visitors to a web page or service and to develop other statistics about the operations of our products. This includes cookies from us and from third-party analytics providers. We also use cookies to understand, improve, and research how you use and interact with our Products and Services.

viii. **Targeted marketing.** We may use cookies to provide you with target advertising based upon your interests or places you have visited or specific Products and Services you have viewed.

5. “Do Not Track Requests”

Your Internet browser and mobile device may allow you to adjust your browser settings so that “do not track” requests are sent to the websites you visit. We respect your wishes and will not track user activity once “do not track” (“DNT”) signals have been activated. Our third party service providers may also not respond to DNT signals.

6. How We Share Your Information with Third Parties.

S.R.Smith may disclose personal data in the following circumstances:

a. **Customers.** S.R.Smith will share with each customer all details about the customer’s account, including without limitation all orders and deliveries and information about any personal data in the account.

b. **Third Parties Who Sell Our Products and Services.** S.R.Smith may share personal data with third parties who are part of our sales and services channel for our Products and Services,

including without limitation builders, distributors, channel partners and other entities in our sales chain.

c. **Business Partners, Subcontractors and Other Third Parties Providing Support.**

S.R.Smith shares personal data with business partners, subcontractors, vendors, service providers, suppliers, shipping and transport companies, and other third party businesses that provide support to our business. These third parties may assist us in any aspect of our business, including without limitation maintaining our website, assisting us in managing and working with our sales channel, referring individuals and businesses to us, communicating with individuals and businesses, selling or distributing our Products and Services, fulfilling orders, shipping or transporting our Products and Services, developing and improving products, facilitating the processing of payments, returns, product registrations and warranty claims, communicating about orders or issues with Products and Services, marketing, and taking any other action necessary to fulfill any contract we have with an individual or entity or to accomplish a legitimate business need. If the business is a vendor or service provider to us, the business is only authorized to use your personal data as necessary to comply with our contractual agreements and not for secondary purposes unless the data has been anonymized.

d. **Third Party Analytics Providers.** S.R.Smith shares personal data with third parties who conduct marketing studies and data analytics.

i. We use Google Analytics to analyze site traffic to our websites. We may also use Google Analytics in conjunction with Google's advertising services, such as those using the DoubleClick cookie, Google AdWords Trackers and Google Dynamic Remarketing Tracker. With this capability, we or Google may link Google Analytics information with information about visits to multiple sites. We use these tracking technologies to provide tailored advertising and evaluate our marketing efforts. For more information about how Google collects and processes data when you visit websites that use Google technologies, please see "How Google uses data when you use our partners' sites or apps" ([Link](#)). You may opt out of being tracked by Google Analytics by using the Google Analytics Opt-Out Browser Add-On ([Link](#)).

ii. We use Facebook's Facebook Connect social media tracker and Facebook Custom Audience pixel advertising tracker for retargeted advertising. You may find Facebook's Privacy Policy "Information from partners." [here](#), Facebook's Cookie Policy [here](#), and you may opt-out of their trackers [here](#).

iii. We use the Act-On Beacon to help us determine which advertising content is successful and adjust our advertising to you. You may find Act-On's privacy policy [here](#) and their terms of use [here](#). The Act-On beacon will give you an option to Opt-In or Opt-Out upon landing on the site for the first time.

iv. We use the McAfee Secure service to provide verification that our website has been scanned and that you have reached our actual website. The McAfee Secure service uses JavaScript to verify the page you are browsing is secure. You may find McAfee's privacy policy [here](#) and their terms of service [here](#).



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- e. **Transfer or Assignment in Connection with Business Transfers or Bankruptcy.** In the event of a merger, acquisition, reorganization, bankruptcy or other sale of all or a portion of our assets, personal data owned or controlled by us may be one of the assets transferred to third parties. We reserve the right, as part of this type of transaction, to transfer or assign your personal data and other information we have collected from users of the Products and Services or individuals who provide us personal data under this privacy policy to third parties. Other than to the extent ordered by a bankruptcy or other court, or as otherwise agreed to by you, the use and disclosure of all transferred personal data will be subject to this Policy. However, any information you submit or that is collected after this type of transfer may be subject to a new privacy policy adopted by the successor entity.
- f. **Response to Subpoenas or Court Orders; Protection of Our Rights; Safety.** S.R.Smith shares personal data as required or permitted by law, regulation, legal process or other legal requirement, or when we believe in our sole discretion that disclosure is necessary or appropriate, to respond to an emergency or to protect our rights, protect your safety or the safety of others, investigate fraud, comply with a judicial proceeding or subpoenas, court order, law-enforcement or government request, including without limitation to meet national security or law enforcement requirements, or other legal process and to enforce our agreements, policies and terms of use.
- g. **Publicly Posted Content.** If you post comments, images, and other content to a public-facing page or social media site, that personal data will be publicly viewable.
- h. **With Your Consent.** We may share some or all of your personal data to any other third party with your affirmative consent. For instance, we display personal testimonials of satisfied customers on our site in addition to other endorsements. With your consent we may post your testimonial along with your name. If you wish to update or delete your testimonial, you can contact us at info@srsmith.com.
- i. **Anonymized Data.** We may share personal data that has been anonymized in a manner so that it is no longer considered personal data by applicable laws and regulations.

7. Third-Party Websites

We may link to third party websites. We are not responsible for the data collection, use practices, policies, or cookie use of the third party sites that you have accessed from our websites. We encourage our users to be aware when they leave our Site(s) and to read the privacy policies of each website that collects personal data. This Policy applies solely to personal data collected on or through our Products and Services.

8. Social Media Features

Our Products and Services may include social media features or provide direct links to our social media channels. These features may collect your IP address, which page you are visiting on our site, and may set a cookie to enable the feature to function properly. We may also link to our Products and Services from within social media to permit you to access and further share our Products and Services and posts to other websites using your social media login credentials. Social



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media features and widgets are either hosted by a third party or hosted directly on our Products and Services. Your interactions with these features are governed by the privacy policy of the company providing it.

Our Products and Services may offer publicly accessible blogs or community forums. You should be aware that any personal data you provide in these areas may be read, collected, and used by others who access them. To request removal of your personal data from our blog or community forum, contact us at info@srsmith.com. In some cases, unless required by applicable law, we may not be able to remove your personal data, in which case we will let you know if we are unable to do so and why.

9. Preferences and Opting-Out

a. Our Products and Services provide visitors and customers the opportunity to opt-out of receiving specific types of communications from us and others who are assisting us with our communications at the point where we request data about the visitor or customer. In addition, if you have previously signed up to receive information about our Products and Services, you may unsubscribe or opt out of all future marketing communications from us that do not relate to Products and Services you have already ordered by removing your personal data from our marketing and communications databases by sending an email to info@srsmith.com or by clicking the unsubscribe link on any email marketing communication you receive.

b. We do not control the use of personal data that is in the possession of individuals or entities in our sales channel (*e.g.*, builders, distributors, channel partners). Please contact them directly if you have questions and requests or want to communicate with them about your personal data.

c. We may partner with a third party to manage our advertising on other sites. Our third party partner may use cookies or similar technologies to provide you advertising based upon your browsing activities and interests. We partner with a third party to display advertising on our website or to manage our advertising on other sites. If you wish to opt out of interest-based advertising click [here](#). Most Internet browsers allow you to block or delete cookies and other similar technologies from your browser. If you do not agree to the use of these cookies or similar technologies, please disable or delete them by following the instructions for your browser set out here: <http://www.allaboutcookies.org/> or use automated disabling tools where available.

- You can generally opt-out of receiving personalized ads from third party advertisers and ad networks who are members of the Network Advertising Initiative (NAI) ([Link](#)) or who follow the Digital Advertising Alliance's Self-Regulatory Principles for Online Behavioral Advertising ([Link](#)) by visiting the opt-out pages on the NAI website and DAA website.
- You may also opt-out by clicking on TrustArc's Your Advertising Choices page ([Link](#)) or, if in the European Union ([Link](#)).

Please note this does not opt you out of being served advertising. You will continue to receive generic ads. You can also delete cookie files from your hard drive, or avoid them altogether, by configuring



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your browser to reject them or to notify you when a cookie is being placed on your hard drive. Not all features of the Products and Services will function as intended if you reject cookies.

Accessing/Correcting/Updating/Removing/Retaining Your Information

- a. You have the right to access your personal data and to correct, amend, or delete such personal data if it is inaccurate. If you register for an account, you may make changes to your information at any time by logging into your Pool Enthusiast profile and going to the 'Edit Profile' page. You can also make requests for access, correction, amendment, or deletion should by emailing us at info@srsmith.com. Upon request, S.R.Smith will provide you with information about whether we hold any of your personal data. We will respond to any request to access your personal data within 30 days. It may take us longer if your request is complex or you have made multiple requests in which circumstances we will notify you and keep you apprised of our progress.
- b. We will retain your personal data and the data we process on behalf of our customers for as long as your account is active, including as needed to provide you Products and Services or requested information. All other data shall be retained according to our record retention policy. We will retain and use this personal data as necessary to comply with our legal and contractual obligations, resolve disputes, and enforce our agreements. If you delete any account information, we may retain certain information as required by law or for legitimate business purposes such as personal data necessary to bill you for our Products and Services and to pay our taxes and keep record required by applicable laws and regulations. For example, once you have paid us for a Product and Service, we cannot delete any personal data required to maintain and deliver the order and comply with all related legal business obligations unless you cancel your order.
- c. If you become an inactive customer, or if we close or suspend your account, we will continue to adhere to the then current Policy when we collected your personal data so long as we retain it in our databases. We may delete any or all of your personal data at any time without notice to you for any reason or no reason unless otherwise required by law, regulation, contract or our internal policies to retain it.
- d. We may need to request specific personal data from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that your personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further personal data in relation to your request to speed up our response.
- e. If your application for a job is successful, your information gathered during the recruitment process will be transferred to your human resources files subject to our internal human resources policies and procedures and retained as employment data. If your application is unsuccessful, we may, with your consent, keep your information on file for future employment opportunities. You may withdraw your consent at any time.
- f. We do not control the use of personal data that is in the possession of individuals or entities in our sales channel (e.g., builders, distributors, channel partners). Please contact them



directly if you have questions and requests or want to communicate with them about your personal data.

10. California Privacy

If you are a California resident, California Civil Code Section 1798.83 permits you to request information regarding the disclosure of your personal data by S.R.Smith or its affiliates to a third party for the third party’s direct marketing purposes. To make such a request, you should contact us by using the form located here. You can also email info@srsmith.com or write to us at:

S.R.Smith, LLC
Attn: Privacy
1017 SW Berg Parkway
Canby, OR 97013
USA

11. No Use by Children

The Products and Services are not intended for users younger than 16. We do not knowingly collect personal data from children under the age of 16 without verifiable parental consent. If we become aware that a visitor under the age of 16 has submitted personal data, we will remove his or her information from our files. When S.R.Smith delivers the Products and Services to an individual at the instruction of its customers, it is possible that we may process information about you if you are under the age of 16 under the instruction of our customers.

12. Security

S.R.Smith takes reasonable and appropriate measures to protect personal data from loss, misuse, and unauthorized access, disclosure, alteration, and destruction, taking into due account the risks involved in the processing and the nature of the personal data. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security. If you have any questions about our security, you can contact us at info@srsmith.com. We have put in place procedures to deal with any suspected breach of personal data, and we will notify you and any applicable regulator of a breach where we are legally required to do so.

13. Lawful Basis if Subject to GDPR

If our processing of your information is subject to the General Data Protection Regulation 2016/679 (“GDPR”), we use your information according to the following lawful bases for processing. However, it should be noted that these are examples of processing under lawful basis, not an exhaustive list of processing under lawful basis and do not limit any current, past or future processing under lawful basis that we may use to process your information if subject to the GDPR.

- a. **Pursuant to a Contract.** We will use your information when it is necessary for us to perform a contract we are about to enter into or have entered into with you, including without



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limitation when we respond to your requests about entering into a contractual relationship, to help you create an account, to process your orders, to manage our relationship with you, to transfer your data to complete a reservation at a property, to help you participate in and to process your contest or sweepstakes entry or pay a reward.

b. **Pursuant to a Legal Obligation.** We will use your information where needed to comply with a legal or regulatory obligation, including without limitation to manage our relationship with you by providing this Notice and any changes and updates thereto.

c. **Pursuant to a Legitimate Interest.** We will use your information where necessary for our legitimate interests or those of a third party's, and your interests and fundamental rights do not override those interests, including without limitation to process and deliver your orders, to manage our relationship with you, to enable you to participate in a contest, sweepstakes, reward or prize, to administer and protect our business and our Products and Services, to deliver the Products and Services, content and advertisements to you and to evaluate the effectiveness of the Products and Services, content and advertising, to tailor the Products and Services, content and advertising, to use data analytics and other automated processing to evaluate and improve the Products and Services and to make recommendations to you. We will also use your information where necessary to prevent fraud. We will also use your information where necessary to respond to your requests. For example, if you request to delete your information from our database, we may continue to use your information to respect your request and prevent further use of the account. This can include deactivating your account by removing your username from the permitted usernames and disallow any account creation under your email address.

d. **Pursuant to Consent.** We will use your information when we have provided you with notice of processing and obtained your consent in a manner compliant with the requirements set forth in GDPR, including without limitation allowing you to opt-in and opt-out of our marketing our Products and Services to you.

e. **Pursuant to One or More Lawful Basis.** We may rely on more than one lawful basis for processing your specific information described in Section 4 (Information We Collect) of this Policy for the uses set forth above. To our knowledge, we do not process special category data or criminal offence data, and we require you to refrain from providing any such data in the information you share with us. Please contact us if you have any questions about the specific lawful basis we are relying on to process your information.

14. Privacy Policy Changes

We reserve the right to modify this Policy at any time. When we make only minor modifications which do not materially change the policy, we may do so without notifying you. It is your responsibility to keep current the contact information we have on file for that designated representative. When we make material modifications affecting data practices where we operate as the data controller, we will post and/or email the new Policy. We will notify you either by means of a notice on this website prior to the change becoming effective or at our election we may email you by sending an email to the email address specified in your account. We encourage you to periodically review this page for the latest information on our privacy practices. The Last Modified Date at the top



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of this Policy will allow you to quickly know when the last changes were made, and the “What’s New?” section will highlight the changes from the most recent version of the Policy.

15. How You Can Contact Us

If you have questions or concerns regarding this Policy, you should contact us by calling us at (800) 824-4387, emailing us at info@srsmith.com or writing to us at:

S.R.Smith, LLC
Attn: Privacy
1017 SW Berg Parkway
Canby, OR 97013
USA

If you are located in the EEA, you have the right to reach out and communicate with a supervisory authority in relation to the processing of your personal data, but we would appreciate the opportunity to speak with you first and resolve your issues.