

Privacy Shield Policy

This Privacy Shield Policy ("Policy") describes how Energy Industries Council ("EIC") and its subsidiaries and affiliates in the United States ("US") ("Company," "we," or "us") collect, use, and disclose certain personally identifiable information that we receive in the US from the European Union ("EU and Swiss Personal Data"). This Policy applies to the following US affiliated entities: Energy Industries Council USA ("EIC UK (Houston) Inc."). *[This Policy supplements our Website Privacy Policy located at <https://www.the-eic.com/AboutUs/EICPrivacyPolicy.aspx>, and unless specifically defined in this Policy, the terms in this Policy have the same meaning as the Website Privacy Policy.]*

EIC UK (Houston) Inc. complies with the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States. EIC UK (Houston) Inc. has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

EIC recognizes that the EU has established strict protections regarding the handling of EU and Swiss Personal Data, including requirements to provide adequate protection for EU and Swiss Personal Data transferred outside of the EU and Switzerland. To provide adequate protection for certain EU and Swiss Personal Data about [consumers/corporate customers/clients/suppliers/business partners/job applicants/employees] received in the US, EIC UK (Houston) Inc. has elected to self-certify to the EU-US and Swiss-US Privacy Shield Framework administered by the US Department of Commerce ("Privacy Shield"). EIC adheres to the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement, and Liability.

For purposes of enforcing compliance with the Privacy Shield, EIC is subject to the investigatory and enforcement authority of the [US Federal Trade Commission]. For more information about the Privacy Shield, see the US Department of Commerce's Privacy Shield website located at: <https://www.privacyshield.gov>. To review EIC's representation on the Privacy Shield list, see the US Department of Commerce's Privacy Shield self-certification list located at: <https://www.privacyshield.gov/list>.

Personal Data Collection and Use

Our Website Privacy Policy located at <https://www.the-eic.com/AboutUs/EICPrivacyPolicy.aspx> describes the categories of EU and Swiss Personal Data that we may receive in the US as well as the purposes for which we use that EU and Swiss Personal Data/We may receive the following categories of EU and Swiss Personal Data in the US: Name, employment address, telephone number, email address, Events attended and Marketing Categories. We process EU and Swiss Personal Data for the following purposes: CRM records, Marketing and Newsletters, Event Notifications. EIC will only process EU and Swiss Personal Data in ways that are compatible with the purpose that EIC collected it for, or for purposes the individual later authorizes. Before we use your EU and Swiss Personal Data for a purpose that is materially different than the purpose we collected it for or that you later authorized, we will provide you with the opportunity to opt out. EIC maintains reasonable procedures to help ensure that EU and Swiss Personal Data is reliable for its intended use, accurate, complete, and current.

We may collect the following categories of sensitive EU and Swiss Personal Data: Gender, Full Name, Employment email address, employment address. We process sensitive EU Personal Data for the following purposes: CRM records, Email and Postal Marketing, Event attendance and dietary requirements. When we collect sensitive EU and Swiss Personal Data, we will obtain your opt-in consent where the Privacy Shield requires, including if we disclose your sensitive EU Personal Data to third parties, or before we use your sensitive EU and Swiss Personal Data for a different purpose than we collected it for or than you later authorized.

In regard to the EIC UK (Houston) Inc.'s HR privacy policy, to ensure adequate protection for the personal information of employees and workers that EIC receives in the United States from the European Economic Area / Switzerland, EIC has certified to the US / EU Privacy Shield Principles

Data Transfers to Third Parties

Third-Party Agents or Service Providers

We may transfer EU and Swiss Personal Data to our third-party agents or service providers who perform functions on our behalf [as described in our Website Privacy Policy/including: Marketing emails and Event attendance. Where required by the Privacy Shield, we enter into written agreements with those third-party agents and service providers requiring them to provide the same level of protection the Privacy Shield requires and limiting their use of the data to the specified services provided on our behalf. We take reasonable and appropriate steps to ensure that third-party agents and service providers process EU and Swiss Personal Data in accordance with our Privacy Shield obligations and to stop and remediate any unauthorized processing. Under certain circumstances, we may remain liable for the acts of our third-party agents or service providers who perform services on our behalf for their handling of EU and Swiss Personal Data that we transfer to them.

Third-Party Data Controllers

In some cases, we may transfer EU and Swiss Personal Data to unaffiliated third-party data controllers. These third parties do not act as agents or service providers and are not performing functions on our behalf. We may transfer your EU and Swiss Personal Data to third-party data controllers for the [purposes described in our Website Privacy Policy/following purposes: Email Marketing and Event Attendance]. We will only provide your EU and Swiss Personal Data to third-party data controllers where you have not opted-out of such disclosures, or in the case of sensitive EU and Swiss Personal Data, where you have opted-in if the Privacy Shield requires consent. We enter into written contracts with any unaffiliated third-party data controllers requiring them to provide the same level of protection for EU and Swiss Personal Data the Privacy Shield requires. We also limit their use of your EU and Swiss Personal Data so that it is consistent with any consent you have provided and with the notices you have received.] [If we transfer your EU and Swiss Personal Data to one of our affiliated entities within our corporate group, we will take steps to ensure that your EU and Swiss Personal Data is protected with the same level of protection the Privacy Shield requires.]

Disclosures for National Security or Law Enforcement

Under certain circumstances, we may be required to disclose your EU and Swiss Personal Data in response to valid requests by public authorities, including to meet national security or law enforcement requirements.

Security

EIC maintains reasonable and appropriate security measures to protect EU and Swiss Personal Data from loss, misuse, unauthorized access, disclosure, alteration, or destruction in accordance with the Privacy Shield.

Access Rights

You may have the right to access the EU and Swiss Personal Data that we hold about you and to request that we correct, amend, or delete it if it is inaccurate or processed in violation of the Privacy Shield. These access rights may not apply in some cases, including where providing access is unreasonably burdensome or expensive under the circumstances or where it would violate the rights of someone other than the individual requesting access. If you would like to request access to, correction, amendment, or deletion of your EU and Swiss Personal Data, you can submit a written request to the contact information provided below. We may request specific information from you to confirm your identity. In some circumstances, we may charge a reasonable fee for access to your information.

Questions or Complaints

You can direct any questions or complaints about the use or disclosure of your EU and Swiss Personal Data to us at houston@the-eic.com or by phone at +1 713 783 1200. [You may also contact our EU affiliate, EIC at info@the-eic.com or by phone at +44 020 7091 8600 with any questions or concerns.] We will investigate and attempt to resolve any complaints or disputes regarding the use or disclosure of your EU and Swiss Personal Data within 45 days of receiving your complaint. For any unresolved complaints, we have agreed to cooperate with the International Centre for Dispute Resolution ("ICDR"), the international division of the American Arbitration Association ("AAA"). If you are unsatisfied with the resolution of your complaint, you may contact the ICDR/AAA at <http://go.adr.org/privacysield.html> for further information and assistance.

For complaints involving human resource Personal Data of EU citizens, EIC commits to cooperate with the panel established by the EU Data Protection Authorities (DPAs) and comply with the advice given by the panel with regards to human resources data transferred from the EU in the context of the employment relationship. Complaints regarding processing of HR personal data pertaining to EU citizens may be reported by the individual to the relevant Data Protection Authority.

Binding Arbitration

You may have the option to select binding arbitration for the resolution of your complaint under certain circumstances, provided you have taken the following steps: (1) raised your complaint directly with EIC and provided us the opportunity to resolve the issue; (2) made use of the independent dispute resolution mechanism identified above; and (3) raised the issue through the relevant data protection authority and allowed the US Department of Commerce an opportunity to resolve the complaint at no cost to you. For more information on binding arbitration, see [US Department of Commerce's Privacy Shield Framework: Annex I \(Binding Arbitration\)](#).

Types of third-parties to which EIC UK (Houston) Inc. may transfer your personal information

In the normal course of business and consistent with the purposes set forth above, ABB will forward your information to a number of third parties and third-party agents. The types of such third parties your information may be transferred to include, but may not be limited to, the following:

- Accountants, tax and audit advisory service providers like BDO/ PwC / KPMG
- HR & payroll service providers
- Background & drug screening providers
- Logistics cos. like FedEx
- All government entities (e.g., IRS I-9, W-2, W-4, etc.)

- Travel & expense service providers
- Performance development appraisal and assessment
- Corporate credit card cos. (e.g. AmEx)
- Insurance cos. and claims management service providers
- Employment verification co.
- Outplacement services
- Auditor and tax consultants
- Data warehousing providers
- Access control systems providers (e.g. Datawatch Systems)
- Communications and communication service providers (e.g. Verizon Wireless)
- IT support providers
- EIC parent

Contact Us

If you have any questions about this Policy or would like to request access to your EU Personal Data, please contact us as follows: houston@the-eic.com or by phone at +1 713 783 1200.

Changes to This Policy

We reserve the right to amend this Policy from time to time consistent with the Privacy Shield's requirements.

Effective Date: 22 June 2017

Last modified: 16 August 2017