



eagle foods

Eagle Family Foods Group LLC and its Subsidiaries

# Biometric Information Privacy Policy

2/2018



- 1.1 This Biometric Information Privacy Policy (“Policy”) defines Eagle Family Foods’ Illinois’ and Texas’ (“EFF”) policy and procedures for collection, use, disclosure, safeguarding, storage, retention, and destruction of biometric data collected by EFF.
- 1.2 EFF uses biometric identification systems for employee timekeeping with regard to its ADP payroll. EFF collects, stores, and uses employee biometric data for the purpose of giving employees secure access to ADP’s timekeeping systems and to document employees’ (1) clock in/out time(s); (2) clock in/out location(s); and (3) attempts/failures/errors in biometric data scans.

## **2. POLICY STATEMENT**

- 2.1 EFF’s Policy is to protect, store, and utilize biometric data only in accordance with all applicable standards, including those contained in the Illinois Biometric Information Privacy Act and the Texas Capture or Use of Biometric Identifier.
- 2.2 In the event EFF begins collecting biometric data for any additional purpose, EFF will update this Policy.
- 2.3 A copy of this document has been made available to each employee, and will be made available to the public at <https://effgrp.sharepoint.com/hr> or upon request.
- 2.4 This Policy shall be read in conjunction with ADP’s Biometric Information Privacy Policy. A copy of ADP’s Biometric Information Privacy Policy is attached hereto.

## **3. DEFINITION OF BIOMETRIC DATA**

- 3.1 As used in this Policy, biometric data includes “biometric identifier” and “biometric information” as defined in the Illinois Biometric Information Privacy Act, 740 ILCS 14/1, *et seq.* “Biometric identifier” means a retina or iris scan, fingerprint, voiceprint, or scan of hand or face geometry. “Biometric information” means any information, regardless of how it is captured, converted, stored, or shared, based on an individual’s biometric identifier used to identify an individual.<sup>1</sup>

## **4. PROCEDURES**

### **4.1 Notice and Consent**

4.1(a) Prior to collecting, capturing, purchasing, receiving through trade or otherwise obtaining an employee’s biometric data, EFF will inform the employee in writing that biometric data is being collected, stored, and used;

4.1(b) EFF will inform the employee in writing of the specific purpose and length of term for which biometric data is being collected, stored, and used; and

4.1(c) EFF will receive a written release from the employee of the biometric data authorizing EFF, ADP and/or the licensor of ADP’s time and attendance software to collect, store, and retain the employee biometric data utilized by the timeclocks, or timeclock attachments, and authorizing EFF to provide such data to ADP and the licensor of ADP time and attendance software.

### **4.2 Use**

4.2(a) EFF will not sell, lease, trade, or otherwise profit from the employee’s biometric data.

### **4.3 Disclosure**

---

<sup>1</sup> In Texas, the statute only includes “biometric identifier,” which is defined the same as in Illinois. V.T.C.A. Bus. & C. §503.001(a).

- 4.3(a) EFF will not disclose, redisclose, or otherwise disseminate the employee's biometric data unless:
  - 4.3(a)(1) the employee consents to the disclosure or redisclosure;
  - 4.3(a)(2) the disclosure or redisclosure completes a financial transaction requested or authorized by the employee of the biometric data;
  - 4.3(a)(3) the disclosure or redisclosure is required by state or federal law or municipal ordinance; or
  - 4.3(a)(4) the disclosure is required pursuant to a valid warrant or subpoena issued by a court of competent jurisdiction.

#### **4.4 Storage**

- 4.4(a) EFF will use a reasonable standard of care to store, transmit, and protect from disclosure all biometric data in the manner required by applicable standards.
- 4.4(b) EFF will store, transmit, and protect from disclosure all biometric data in a manner that is the same as or more protective than the manner in which it stores, transmits, and protects other confidential and sensitive information.

#### **4.5 Retention and Destruction**

- 4.5(a) EFF will retain the employee's biometric data until termination of the employment relationship.
- 4.5(b) EFF will notify ADP that an individual's employment with EFF has ended in its timekeeping or HR systems, or has otherwise discontinued using a biometric timeclock, or timeclock attachments with respect to that employee, so that ADP may also comply with applicable laws and standards.
- 4.5(c) At that time, any biometric data with regard to that employee in EFF' possession will be destroyed.

## Employee Acknowledgement

I hereby acknowledge receipt of the Eagle Family Foods' Illinois' and Texas' ("EFF") Biometric Information Privacy Policy ("Policy"). I further acknowledge I have had an opportunity to review that Policy and understand its terms.

I understand my fingerprint will be collected, stored, and retained by EFF, ADP and/or the licensor of ADP's time and attendance software for the sole purpose of verifying my identity for access to the ADP timekeeping system. As such, that fingerprint will be collected, stored, and used in accordance with EFF's Policy and ADP's Biometric Information Privacy Policy. EFF will provide my fingerprint to ADP and the licensor of ADP time and attendance software for that purpose only.

I hereby consent to EFF's, ADP's and/or the licensor of ADP's time and attendance software collection, use, and storage of my fingerprint for the above-defined purpose.

Print Name: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Cc: Signed Copy to Personal File