

# PRIVACY POLICY

Updated as of January 3, 2022

## **YOUR USE OF THIS SITE CONSTITUTES YOUR AGREEMENT TO BE BOUND BY THESE TERMS OF USE.**

This Privacy Policy tells you how the Talent Managers Association (“TMA,” “Guild,” “We,” “Our,” or “Us”) collects, uses, shares and processes your personal information. The term “Personal Information” as used in this Privacy Policy shall mean any information that enables us to identify you, directly or indirectly, by reference to any identifier such as your name, identification number, location data, online identifier or one or more factors specific to you. The privacy of your Personal Information is important to us. Please review this policy before submitting to us any Personal Information. By providing Personal Information to us, you are agreeing to all of the terms of this Privacy Policy. If you choose to provide your Personal Information and/or the Personal Information of others, you consent to the transfer and storage of that information on the Site’s servers.

1. **Processing Activities Covered.** This privacy policy applies to the processing of Personal Information collected by us when you:

- Visit and/or submit personal information to [www.TalentManagers.org](http://www.TalentManagers.org) (the “Site”) or our other websites that display or link to this particular policy;
- Attend or take in our events and programs; and/or
- Communicate with us via post, email, phone, texts, fax, or in person.

If you are providing Personal Information related to the Talent Managers Association or in connection with The Heller Awards, please see the privacy, cookies and terms and conditions which govern the collection of that information on [www.TheHellerAwards.com](http://www.TheHellerAwards.com).

Our Site and services may contain links to other websites, applications and/or services that are maintained by third parties. We do not control how such third parties may collect, use or process your Personal Information. When you are routed to a third party website, application and/or service, your disclosure of Personal Information and other site activities are governed by that third party’s privacy policy and terms of use, and not by this Privacy Policy or our Terms of Use. We encourage you to review all third party privacy policies and terms of use before disclosing your Personal Information to them.

2. **Collection of Personal Information.** We collect different types of Personal Information about you depending upon your use of our Site and communication with us.

- **Information You Provide to Us.** You may provide us with information, including Personal Information, about yourself or a third party or company by visiting our Site, submitting forms through our Site (whether in draft or final form), corresponding with us by post, phone, email or otherwise, visiting us in person, and attending and/or registering for our events, programs and services. The Personal Information we collect directly from you may include, without limitation, personal identifiers, professional or employment-related information, financial account information, commercial information, visual information, and internet activity information. Any Personal Information that you provide to us will be used the the TMA to fulfill the express or implied objective for which the information was requested or collected (e.g. if information is provided as a result of you emailing us, we will use the information provided, such as email addresses, to respond to you), and/or otherwise in accordance with this Privacy Policy (i.e., if you are a member of the TMA, such information may also be used to update your member account in our database). We collect Personal Information in the following situations:
  - **Application for Membership.** In order to apply for membership in the TMA, you will be asked to create an account with a username and a password and to complete a membership application. During this process, you will be required to provide Personal Information (including, without limitation, name, physical address, email address, phone number, professional titles and related information, business contact information, and financial/billing information, such as billing name and address, credit card number and/or bank account information), as well as the Personal Information of others (including, without

limitation, name, title, phone, email) who will be contacted in order for us to determine whether you are qualified for membership in the TMA.

- **Member Account.** If your membership application is approved, you will be invited to complete your member profile. You have choices about the Personal Information that you choose to include in your account, such as, without limitation, your work experience, media of enterprise, particular skills, photo, and links to your professional and social media sites. You don't have to provide Personal Information on your account; however, such Personal Information may help you get more out of your membership, including by allowing other members and staff to connect you to networking and business opportunities. You may be asked to provide certain sensitive personal information (including, without limitation, gener, race, ethnicity, sexual orientation, birthdate, age) and to respond to questions about your interest in various Guild programs and events.
- **Event and Programming Registration and Attendance.** In order to register, attend and/or reap the benefits of a Guild event or program, you will be required to create an account and provide your Personal Information and/or the Personal Information of others, such as guests, sponsors or references, as applicable. The Personal Information that you provide may include, without limitation, name, address, phone number, email address, financial/billing information, and/or professional information.
- **Sponsorships, donations, Merchandise Purchases.** If you submit a donation to the Guild, sponsor one of our events or purchase merchandise from us, we may collect Personal Information, such as, without limitation, your name, address, phone number, email address, financial/billing information, professional information, and/or other assets pursuant to agreement.
- **Requesting Information and Downloading Content.** If you express an interest in joining our mailing list or otherwise obtaining additional information about the Guild or our events, programs and services, use our "Contact Us" or similar features, or download certain content, we may require that you provide to us Personal Information, such as, without limitation, your name, address, phone number, email address, and personal information.
- **Guild Communication Platforms.** If you register for a communication platform (i.e. Slack or Zoom) that is used by the TMA, we may ask you to provide your name and email address, or other Personal Information required to use these platforms. Please note, anyone using a communication platform set up by the TMA, such as Slack, may read any Personal Information you choose to submit and post so please carefully consider this before deciding to share or post.
- **Video Conferences and Phone Calls.** If you communicate with us via videoconference or by phone, we may, with your consent, record that videoconference or phone call. You may not record any TMA calls, videoconferences, webinars, or programs without express consent from the TMA.
- **Surveys and Feedback.** If you respond to our census, surveys, or otherwise voluntarily submit feedback to us, we collect the information, including Personal Information, that you provide and may act upon it to improve our services and/or share information with our third parties where permitted; and
- **Other Personal Information.** If you provide other Personal Information to us, we may use it for our legitimate business purposes in accordance with this Privacy Policy.

If you provide Personal Information relating to another person or company, you are responsible for obtaining any necessary consent from that person or company before providing the information to us. The TMA is not responsible for obtaining such consent.

- **Information we collect from Third Parties About You.** We may also collect Personal Information about you from other sources, including from publicly available information or from third parties who submit Personal Information about you. We may combine this information with Personal Information provided directly by you. This helps us to update, expand, and analyse our records; and create more tailored events and programs that may be of interest to you. The Personal Information we collect from other sources may include, without limitation, personal identifiers, professional or employment-related information, commercial information, visual information, internet activity information, and/or inferences about preferences and behaviors. For example, a representative from your company or organization may provide your Personal Information on your behalf or provide us with your business contact information so that we may contact you about our events or programs.

3. **How We Use Personal Information.** We may process your Personal Information and the Personal Information of others for the following purposes in line with our contractual and/or legal obligations, and/or our legitimate business interests.

- To review, process and administer membership applications, event registrations, program applications, and sponsorships, donations and/or merchandise purchases;
- To collect fees pertaining to membership, events, programs, sponsorships, donations and/or merchandise purchases (your credit card and/or banking information will be temporarily stored on a server intended to be secure, and will be used solely to process your transaction; we will then retain your information to facilitate servicing you in the future);
- To update and maintain the Personal Information in your member account;
- To create aggregated, anonymized statistics regarding the composition of our membership in order to better serve our membership and respond to public inquiries;
- If you are a member and have chosen to share your Personal Information on your profile, to connect you with other members via our membership directory and to connect you with third parties requesting contact with members who match the Personal Information you have shared;
- To share with you advertisements, promotions, marketing and networking opportunities;
- To identify information about nonmembers who may or may not apply for membership;
- To monitor and protect the security of information, including Personal Information, as well as the Site, systems and network;
- To ensure that content from our Site is presented most effectively for you and your device and to display content based upon your use of the Site; and
- To conduct research and to understand general trends and patterns so we can develop and support existing events and programs and develop new programs and events for membership.

4. **Accessing, Reviewing and Changing Your Personal Information.** If you are a member, you can see, review and change most of your Personal Information by signing into your member account on the Site. Whether you are a member or nonmember, upon your request, we will update your Personal Information, close your account and remove the Personal Information, anonymize the Personal Information that you have provided to us, or provide you with a copy of the Personal Information that we have collected that is under our custody and control as soon as reasonably possible, and in compliance with our legal obligations. Specifically, we retain Personal Information from closed accounts to comply with the law, enforce our policies, prevent fraud, assist with investigations, and take other actions otherwise permitted by law. To reach us, please contact us at the Contact Information set forth below.

5. **Security.** We treat data as an asset that must be protected and employ tools (passwords, usernames, etc.) to protect your Personal Information from unauthorized access and disclosure. Nevertheless, we cannot promise, and you should not expect, that your Personal Information or private communications will always remain private. Third parties may unlawfully intercept or access transmission or private communications, and other users may abuse or misuse your Personal Information that they collect from the Site.

If you have created an account with us, please remember that your password is the key to your account. Use unique numbers, letters and special characters, and do not disclose your password to anyone. If you do share your password or your Personal Information with others, remember that you are responsible for all actions taken under the name of your account. If your password has been compromised for any reason, you should immediately notify us at [Secretary@TalentManagers.org](mailto:Secretary@TalentManagers.org) so that we can assist you.

Additionally, your username may be displayed and connected to your activity on the Site when you are logged in. If you access the Site from a shared computer or unprotected network (such as a public library or an internet cafe) certain information about you, such as your username, may also be visible to others who use the computer after you.

6. **Retention of Personal Information.** We will store your Personal Information, in a form that permits us to identify you, for no longer than is necessary for the purpose for which the Personal Information is processed, as set forth above. We also maintain your Personal Information as

necessary to comply with our legal obligations, resolve disputes, and enforce our agreements and rights, or if it is not technically and reasonably feasible to remove it. Otherwise, we will seek to delete the Personal Information that you provide within a reasonable timeframe upon request.

- 7. Our Disclosure of Your Information.** We may share Personal Information with TMA Board Members, Officers, and interns, as well as authorized TMA members in connection with the administration of TMA programs, events, and services. We may also share your information with third parties, such as: professional advisors, such as lawyers, accountants, auditors, bankers, and insurers for legal or other legitimate consultancy reasons; and other third-party vendors to help us operate the Site, process transactions, respond to your needs, and enhance our marketing. In managing these matters, the Site works with third-party analytics and marketing partners who use cookies and web beacons and other tracking technologies as set forth above. These partners include vendors such as Google, and others, whose technology is used to serve advertisements on our Site. Data regarding advertising performance, such as impressions and clicks, is collected in aggregate and not in a way that personally identifies any user. We and these partners use this data for several purposes, including to improve the design and content of the Site, inform us about which pages are most attractive to visitors, and track the success of our advertising.

We may disclose Personal Information that you provide to respond to legal requirements, enforce our policies, or protect anyone's rights, property or safety. Such information will be disclosed in accordance with applicable laws and regulations.

Without limiting the above, we will not disclose your Personal Information to law enforcement, or other third parties without a subpoena, court order or substantially similar legal procedure, unless we believe in good faith that the disclosure of Personal Information is necessary to prevent imminent physical harm or financial loss or to report suspected illegal activity.

- 8. Marketing and Advertising.** We will not sell or rent Personal Information that you provide to us to third parties without your express consent but may use your Personal Information along with information we collect from other users to improve and personalize our services and content. We do use your Personal Information to share with you advertisements, promotions, marketing and networking opportunities, as third party event information. We include advertisements on our Site pages and in our newsletters sent to members. You can use an ad blocker on your device to prevent the display of advertisements on our Site. You can unsubscribe from receiving emailed advertisements by following the unsubscribe directions included in the email. If you have further questions about how to control or block advertising, please contact us at [Secretary@TalentManagers.org](mailto:Secretary@TalentManagers.org).
- 9. No Spam, Spyware or Spoofing.** This Site does not tolerate spam. You may not use the Site's communication tools to send spam or otherwise send content that would violate this Privacy Policy or any other policy. Please report Site-related spam or spoof emails to [Secretary@TalentManagers.org](mailto:Secretary@TalentManagers.org).
- 10. Children.** We do not knowingly collect or solicit Personal Information from anyone under the age of 18, or knowingly allow such persons to create an account. If you are under 18, please do not attempt to create an account on this Site or send any Personal Information about yourself to us. In the event that we learn that we have inadvertently collected Personal Information from someone under the age of 18 without verification of parental consent, we will delete that information as quickly as possible. If you believe that we might have any information from or about someone under 18, please contact us at [Secretary@TalentManagers.org](mailto:Secretary@TalentManagers.org).
- 11. International Transfers.** Your Personal Information may be accessed by us or transferred to our affiliates, partners or service providers who are located worldwide. This may involve the transfer of Personal Information outside the European Economic Area (the "EEA") to countries that may not provide a level of protection of Personal Information that may be regarded as equivalent to that afforded under the European data protection legislation. Whether your Personal Information is transferred internationally, we will take appropriate steps to ensure its security and confidentiality in accordance with the general security measures that we have undertaken to protect Personal Information submitted to the Site.
- 12. Your Californian Rights.** For residents of California only: Section 1798.83 of the California Civil Code requires select businesses to disclose policies relating to the sharing of certain categories of your Personal Information with third parties. If you reside in California and have provided your Personal Information to us, you may request information about our disclosures of certain categories of Personal Information to third parties for direct marketing purposes. Such requests must be submitted to us using the contact details listed below.

13. **European Residents.** If you are based in Europe, in certain circumstances you have rights under data protection laws in relation to Personal Information we hold about you.

- **Request access to your Personal Information.** You may have the right to request access to any Personal Information we hold about you as well as related information, including the purposes for processing the Personal Information, the recipients or categories of recipients with whom the Personal Information has been shared, where possible, the period for which the Personal Information will be stored, the source of the Personal Information, and the existence of any automated decision making.
- **Request correction of your Personal Information.** You may have the right to obtain without undue delay the rectification of any inaccurate Personal Information we hold about you.
- **Request erasure of your Personal Information.** You may have the right to request that Personal Information held about you is deleted.
- **Request restriction of processing your Personal Information.** You may have the right to prevent or restrict the processing of your Personal Information.
- **Request transfer of your Personal Information.** You may have the right to request transfer of Personal Information directly to a third party where this is technically feasible.

Where you believe that we may not have complied with our obligation under this Privacy Policy or applicable European data protection law, you have the right to make a complaint to a European Supervisory Authority.

If you have any questions about your rights or if you wish to exercise your rights, please contact us using the contact details listed below.

14. **Modifications to This Policy.** We may revise this Privacy Policy at any time at our sole discretion without notice. When we make revisions, we will post the updated Privacy Policy with the revised date to our Site, and it will be effective immediately. Your use of the Site after such posting will be deemed to constitute acceptance by you of the terms of the revised Privacy Policy, so please check this link periodically for modifications, additions, and/or deletions.

15. **Contact Us.** If you have any questions or complaints regarding this Privacy policy or our practices, please contact us at [Secretary@TalentManagers.org](mailto:Secretary@TalentManagers.org).