



## Website Privacy Policy

Effective: May 24, 2023

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### 1. Processing of Personal Data

- 1.1. Eryc Taylor Dance, Inc. (referred to throughout as “Eryc Taylor Dance”, “our”, “we”, or “us”) is committed to ensuring your privacy and the confidentiality of your personal data, which is defined as any information which is related (whether directly or indirectly) to an identified or identifiable natural person or household or is reasonably capable of being associated with or could reasonably be linked to a particular person or household (“Personal Data”). By accessing or using our website located at [www.etd.nyc](http://www.etd.nyc) and all associated websites linked to it by us (collectively, the “Website”), participating in an event and/or communicating with us, you consent to this Privacy Policy. In case you do not agree to any part of it, you must inform us in writing (email being sufficient) and discontinue using our Website. If you have any questions, please contact us at [privacy@etd.nyc](mailto:privacy@etd.nyc).
- 1.2. We collect Personal Data such as your name, email address, source of connection, communication contents you may make with us directly, interactions with our Website and, in the case you are brought to our Website through paid advertising, which advertising service (for example, which banner advertisement you clicked on) brought you to our Website.
- 1.3. We process, collect, and share Personal Data for the following purposes, and we will only process Personal Data on the lawful basis specified:
  - i. To provide our services to you, including as necessary among our subsidiaries and affiliates.
  - ii. To communicate with you, including to maintain our list of contacts and/or to provide you with other information you may request from us.
  - iii. For research purposes, including to develop, improve, maintain, and facilitate the operation of our Website.

#### *Legal Basis for Processing (i-iii):*

- (1) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms); or
  - (2) We have obtained your prior consent to the processing.
- iv. To process your requests.

#### *Legal Basis for Processing (iv):*

- (1) The processing is necessary to comply with a legal obligation;

- (2) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms); or
  - (3) We have obtained your prior consent to the processing.
- v. To respond to law enforcement requests or as required by applicable law, court order, governmental regulations, or our policies.

*Legal Basis for Processing (v):*

- (1) The processing is necessary to comply with a legal obligation; or
  - (2) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms).
- vi. To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Data held by us about our Website users is among the assets being contemplated for transfer or being transferred.

*Legal Basis for Processing (vi):*

- (1) The processing is necessary in connection with a contract we may enter into with a third party, or to take steps prior to us entering into a contract with a third party;
  - (2) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms); or
  - (3) We have obtained your prior consent to the processing.
- vii. We may process your Personal Data to manage our information technology and communications systems, including for the purpose of security audits.

*Legal Basis for Processing (vii):*

- (1) The processing is necessary to comply with a legal obligation;
  - (2) The processing is necessary in connection with a contract you may enter into with us, or to take steps prior to entering into a contract with us;
  - (3) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms); or
  - (4) We have obtained your prior consent to the processing.
- 1.4. We do not sell your Personal Data to third parties.
- 1.5. When processing, collecting, and sharing your Personal Data, we rely on your consent to this Privacy Policy. You have the right to withdraw consent at any time, although such withdrawal will not make any processing, collecting, or sharing we carried out while we had your consent unlawful.
- 1.6. Appropriate technical and organizational measures maintain the confidentiality and integrity of your Personal Data.

- 1.7. If you are in the European Economic Area (“EEA”), we grant you the data protection rights as per the European Union’s General Data Protection Regulation (“GDPR”): You have the right to be informed by us of any processing of your Personal Data, including how we collect, use, and disclose your Personal Data, and obtain a copy thereof to verify the lawfulness of processing (“*right of access*”). If you are affected by incorrect or incomplete Personal Data, you may request rectification or completion of relevant data (“*right to rectification/right to correct*”). You may request the deletion of your Personal Data (“*right to erasure*”) or a temporary processing restriction in certain cases (“*right to restriction of processing*”). You may object to the processing of your Personal Data (“*right to object*”), and you have the right to receive your Personal Data in a structured, commonly used and machine-readable format or to have your Personal Data transferred to another data controller if technically feasible (“*right to data portability*”). To the extent we process your Personal Data based on your consent, you may withdraw your consent, without affecting the lawfulness of our processing based on your consent before its withdrawal. Please contact us at [privacy@etd.nyc](mailto:privacy@etd.nyc) to exercise any of your rights enumerated in this clause. Only you may make requests related to your Personal Data under this Clause. Your request must provide sufficient information that allows us to reasonably verify you are the person about whom we or our service providers collected Personal Data or an authorized agent thereof, which may include: (1) personal information, including your IP address and/or unique device identifiers and (2) the nature of your request. Your request must include enough detail to allow us to respond to it. To verify your request, we will compare the information you provide in your request to any Personal Data we maintain about you. Note that we may need to request additional information from you beyond the information already maintained in order to verify your identity or understand the scope of your request, although you will not be required to create an account with us to submit a request or have it fulfilled. We shall delete any new personal information collected for verification as soon as practical.
- 1.8. We store your Personal Data only for as long as necessary to respond to requests and/or as required by applicable laws and/or best practice retention requirements.
- 1.9. In case you are dissatisfied with any aspect of processing your Personal Data, please contact us at [privacy@etd.nyc](mailto:privacy@etd.nyc). You may also contact the data protection supervisory authority in your country of residence.
- 1.10. If we plan to use Personal Data for a new purpose, we will update this Privacy Policy and communicate the changes to you before starting any new processing.

## **2. Cookie Policy**

- 2.1. The Website may use cookie technology to collect additional user and usage data. Cookies contain data that identifies you during your use of our Website. We use session cookies to better understand how you use our Website, to monitor aggregate usage by our users, and to improve our Website.
- 2.2. You may use your browser software to stop accepting cookies or to warn you before accepting a cookie. If you choose not to accept cookies, parts of the functionality of the Website operated by us may be impaired.

## **3. Links to Other Websites**

- 3.1. The Website may contain links to other websites not operated or controlled by us (“Third-Party Sites”). The information that you share with Third-Party Sites will be governed by the specific privacy policies and terms of service of such Third-Party Sites and not by this Privacy Policy. By providing these links we do not imply that we endorse or have reviewed these sites. Please contact these sites directly for information on their privacy practices and policies.

## **4. Privacy of Children**

- 4.1. Our Website is not directed to children under the age of 13 and we do not knowingly collect Personal Data from children under the age of 13. No one under the age of 13 may provide any Personal Data to us on the

Website. If you are under 13, do not use or provide any information on our Website. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from, or about, a child under 13, please contact us at [privacy@etd.nyc](mailto:privacy@etd.nyc).

## **5. Notice to EU Residents**

5.1. Our Website is accessible to EU residents and therefore we may need to transfer Personal Data in connection with the purposes set out in this Privacy Policy. In particular, if this involves transferring your Personal Data from inside to outside the EEA, we will take steps to ensure your information remains adequately protected in accordance with this Privacy Policy and applicable law, including the GDPR. The destination of a transfer for your Personal Data may be to the United States or any future location where we may operate. These locations may have different laws and data protection compliance requirements, including data protection laws of a lower standard than those that apply in the country in which you are located. However, if we make such a transfer of your Personal Data, we will take steps to ensure that the privacy of your Personal Data is respected, by ensuring that one of the following safeguards is put in place:

- i. Binding corporate rules;
- ii. Appropriate contractual clauses; or
- iii. Other valid transfer mechanisms.

## **6. Updates to Privacy Policy**

- 6.1. We may update our Privacy Policy from time to time, in particular due to changes in applicable law.
- 6.2. When we change the Privacy Policy in a material way, a notice will be posted on our Website along with the updated Privacy Policy.
- 6.3. Your continued use of our Website following the posting of any such update constitutes your acceptance of the changes made.

## **7. Additional Data We Collect From Job Applicants, Grant Applicants & Auditionees**

7.1. We collect the following categories of additional data from our job applicants and auditionees:

i. *Data you provide about yourself*

When you participate in our job application and/or audition process, we will ask you to provide Personal Data such as: your name, email address, mailing address, and telephone number; your resume/CV, work experience, educational history, and skills; links to any relevant websites or your LinkedIn profile; whether you are legally authorized to work in the United States; whether you will require sponsorship to obtain legal authorization to work in the United States; and whether you are 18 years or older.

Before uploading a resume, please remove any sensitive Personal Data such as government-issued ID numbers, financial information, photos, dates of birth, etc. We do not require or wish to receive sensitive Personal Data in a resume.

ii. *Data we receive from other sources*

We may receive Personal Data about you from other sources, including your references, prior employers, a person or company/organization authorized by you to submit an application on your behalf, and/or publicly available sources.

iii. *Data we collect from consumer reports or consumer investigative reports*

If we think you might be a good fit for a position, we may ask you to authorize us to obtain a consumer report or investigative consumer report. A consumer report is a report on credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living which is used as a factor in establishing an applicant's eligibility for employment. An investigative consumer report is similar, but the information is obtained through personal interviews with neighbors, friends, associates, or acquaintances. Both kinds of reports may include information from court, administrative, or criminal records if and to the extent permitted by applicable law. If you choose not to provide this authorization upon request, we will not be able to offer you employment.

7.2. In addition to the other uses specified under this Privacy Policy, we may process, collect, and share Personal Data in the job application, grant application and audition contexts for the following purposes, and we will only process Personal Data on the lawful basis specified:

- i. To identify and contact applicants and auditionees.
- ii. To evaluate applicants and auditionees and make hiring and casting decisions.
- iii. To match applicants and auditionees to various other opportunities within Eryc Taylor Dance.

*Legal Basis for Processing (i-iii):*

- (1) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms).
- iv. To prepare applicants and auditionees for employment if a job or role has been offered and accepted.

*Legal Basis for Processing (iv):*

- (1) The processing is necessary in connection with a contract you may enter into with us, or to take steps prior to entering into a contract with us; or
- (2) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms).
- v. To keep records related to our hiring and casting practices.

*Legal Basis for Processing (v):*

- (1) The processing is necessary to comply with a legal obligation; or
- (2) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms).
- vi. To comply with applicable employment-related laws, such as checking names against anti-terrorism lists, complying with immigration restrictions or assisting the government in an investigation.

*Legal Basis for Processing (vi):*

- (1) The processing is necessary to comply with a legal obligation.
- vii. With regard to hired employees, for additional employment and business purposes subject to any internal privacy policies and notices.

*Legal Basis for Processing (vii):*

- (1) The processing is necessary in connection with a contract you may enter into with us, or to take steps prior to entering into a contract with us; and/or
- (2) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms).

*Legal Basis for Processing (viii):*

- (3) The processing is necessary to comply with our obligations under employment law to monitor the equality of our employment practices; or
- (4) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms).

- viii. We process criminal offense data in the context of a consumer report or consumer investigative report.

*Legal Basis for Processing (ix):*

- (1) The processing is necessary to comply with our obligations to provide a safe workplace for our employees and guests; or
- (2) We have a legitimate interest in carrying out the processing (to the extent such interest is not overridden by your fundamental rights or freedoms).

- 7.3. We may share your Personal Data with service providers (including recruiters and other third parties) that assist us with recruiting, application, and employment processes and our affiliates and other third parties with whom you might work if you are offered and accept the job or role.
- 7.4. If you accept a job or role with us, we may retain your application and any other information we relied on during the application or audition process as part of your file. Please note that we have the right to delete accounts and application or audition information at any time, so you may want to retain copies of any information, including resumes/CVs, you provide to us during the application process.
- 7.5. You may update your contact information anytime by emailing [privacy@etd.nyc](mailto:privacy@etd.nyc) with your name, previous contact information, and new contact information. If you wish to access or correct other Personal Data, or object to our data processing, please contact us at [privacy@etd.nyc](mailto:privacy@etd.nyc). Please note that neither changes to, or deletion of, such Personal Data will alter Personal Data already relied upon or no longer in our control.