



CLIENT PRIVACY POLICY

TABLE OF CONTENTS

1.0	PURPOSE OF TRI-PHASE PRIVACY POLICY	1
1.1	The Ten Principles of PIPEDA Summarized	1
1.2	Personal Information Defined	2
2.0	PURPOSES OF COLLECTING PERSONAL INFORMATION	4
3.0	CONSENT	4
4.0	LIMITING COLLECTION	5
5.0	LIMITING USE, DISCLOSURE AND RETENTION	5
5.1	Use of Personal Information	5
5.2	Disclosure of Personal Information	5
5.3	Retention of Personal Information	6
6.0	ACCURACY	6
7.0	SAFEGUARDS	6
8.0	OPENNESS	7
9.0	INDIVIDUAL ACCESS	7
10.0	COMPLAINTS/RECOURSE (RESOURCES)	7

1.0 PURPOSE OF TRI-PHASE PRIVACY POLICY

Tri-Phase Group (Tri-Phase) is a privately owned Canadian firm, offering a wide range of professional environmental, construction and restoration contracting services to private, public and crown corporations across the country. Since our inception in 1997, we have completed over 10,000 projects. Over the years, we have built a reputation for providing quality and professional services, with safe and cost-effective solutions that meet our clients' needs.

This privacy policy has been developed to comply with Canada's *Personal Information Protection and Electronic Documents Act* ("*PIPEDA*"). *PIPEDA* sets out rules for the collection, use and disclosure of personal information in the course of commercial activity as defined in the Act.

1.1 The Ten Principles of PIPEDA Summarized

The ten principles of *PIPEDA* that form the basis of this Privacy Policy are as follows:

1. **Accountability:** organizations are accountable for the personal information they collect, use, retain and disclose in the course of their commercial activities, including, but not limited to, the appointment of a Chief Privacy Officer.
2. **Identifying Purposes:** organizations have to explain the purposes for which the information is being used at the time of collection and confirm that it can only be used for those purposes.
3. **Consent:** organizations must obtain an Individual's express or implied consent when they collect, use or disclose the individual's personal information.
4. **Limiting Collection:** the collection of personal information must be limited to only the amount and type that is reasonably necessary for the identified purposes.
5. **Limiting Use, Disclosure and Retention:** personal information must be used for only the identified purposes, and must not be disclosed to third parties unless the Individual consents to the alternative use or disclosure.
6. **Accuracy:** organizations are required to keep personal information in active files accurate and up-to-date.
7. **Safeguards:** organizations are to use physical, organizational, and technological safeguards to protect personal information from unauthorized access or disclosure.
8. **Openness:** organizations must inform their clients and train their employees about their privacy policies and procedures.
9. **Individual Access:** an individual has a right to access personal information held by an organization and to challenge its accuracy if need to be.
10. **Provide Recourse:** organizations are to inform clients and employees of how to bring a request for access, or complaint, to the Chief Privacy Officer, and respond promptly to a request or complaint by the individual.

This Privacy Policy applies to Tri-Phase's owner(s), shareholder(s), board of directors, employees and contracted employees. As well, Tri-Phase ensures that all third party service providers sign confidentiality agreements prior to any transfer of an individual's personal information in the course of providing related information and/or services.

1.2 Definitions

"*Personal information*" means any information about an identifiable individual. It includes, without limitation, information relating to identity, nationality, age,



gender, address, telephone number, e-mail address, Social Insurance Number, date of birth, marital status, education, employment health history, assets, liabilities, payment records, credit records, loan records, income and information relating to financial transactions as well as certain personal opinions or views of an Individual.

"Business information" means business name, business address, business telephone number, name(s) of owner(s), officer(s) and director(s), job titles, business registration numbers (GST/HST, source deductions), financial status. Although business information is not subject to *PIPEDA*, confidentiality of business information will be treated with the same security measures by Tri-Phase staff, Board members, related third party service providers, as is required for individual personal information under *PIPEDA*.

"Client" means businesses that we have worked with, are currently working with or will be working with in the future, (including sole proprietorships and individuals carrying on business in a partnership);

"Individual" means the client's owner(s) or shareholders, co-signors, and/or any guarantor associated with a client.

"Contract" means the application form, agreement or any related forms completed by the individual(s) that may create a working relationship with Tri-Phase.

"Data base" means the list of names, addresses and telephone numbers of clients and individuals held by Tri-Phase in the forms of, but not limited to, computer files, paper files, and files on computer hard-drives.

"File" means the information collected in the course of processing an application, as well as information collected/updated to maintain /service the account.

"Express consent" means the individual signs the application, agreement or other forms containing personal information, authorizing Tri-Phase to collect, use, and disclose the individual's personal information for the purposes set out in the application and/or forms.

"Implied Consent" means the organization may assume that the individual consents to the information being used, retained and disclosed for the original purposes, unless notified by the individual.

"Third Party" means a person or company that provides services to Tri-Phase in support of the contracts, and other services offered by Tri-Phase, such as subcontractors, persons with whom the individual or client does business, but



does not include any Government office or department to whom Tri-Phase reports in the delivery of such programs, or services.

2.0 PURPOSES OF COLLECTING PERSONAL INFORMATION

Personal information is collected in order to assess the eligibility of the individual completing a contract or agreement, in order to secure services provided by Tri-Phase. The individual is the main source of information but Tri-Phase will also ask to obtain information directly from a third source where the individual does not have the required information. Only that information which is required to make a determination of an individual's eligibility will be collected.

3.0 CONSENT

An individual's express, written consent will be obtained before or at the time of collecting personal information. The purposes for the collection, use or disclosure of the personal information will be provided to the individual at the time of seeking his or her consent. Once consent is obtained from the individual to use his or her information for those purposes, Tri-Phase has the individual's implied consent to collect or receive any supplementary information that is necessary to fulfil the same purposes. Express consent will also be obtained if, or when, a new use is identified.

By signing the contract or other forms, implied consent is granted by the individual to obtain and/or to verify information from third parties such as banks, credit bureaus and other companies in the process of assessing the eligibility of an individual or client.

An individual can choose not to provide some or all of the personal information at any time, but if Tri-Phase is unable to collect sufficient information to validate data in the course of providing related information and/or services, the individual's application for such service may be turned down.

A client or an individual can withdraw consent to Tri-Phase's use of personal information at any time prior to the application being approved or service being provided, by making such request in writing. Once an application has been approved, an individual cannot withdraw consent authorizing Tri-Phase to use and disclose the personal information for the purposes set out in this Privacy Policy.

This Privacy Policy does not cover statistical data from which the identity of individuals cannot be determined. Tri-Phase retains the right to use and disclose statistical data as it determines appropriate.



4.0 LIMITING COLLECTION

Personal information collected will be limited to the purposes set out in this Privacy Policy, Tri-Phase applications, and/or other forms.

5.0 LIMITING USE, DISCLOSURE AND RETENTION

5.1 Use of Personal Information

Personal information will be used for only those purposes to which the individual has consented with the following exceptions, as permitted under *PIPEDA*:

Tri-Phase will use personal information *without* the individual's consent, where:

- The organization has reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial or foreign law *and* the information is used for that investigation.
- An emergency exists that threatens an individual's life, health or security.
- The information is for statistical study or research.
- The information is publicly available.
- The use is clearly in the individual's interest, and consent is not available in a timely way.
- Knowledge and consent would compromise the availability or accuracy of the information.
- Collection is required to investigate a breach of a contract or agreement.

5.2 Disclosure and Transfer of Personal Information

Personal information will be disclosed to only those Tri-Phase employees that need to know the information for the purpose of their work.

Personal information will be disclosed to third parties *with* the individual's knowledge and consent.

PIPEDA permits Tri-Phase to *disclose* personal information to third parties, *without* an individual's knowledge and consent, to:

- A lawyer representing Tri-Phase.
- Collect a debt owed to Tri-Phase by the individual or client.
- Comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction.
- A law enforcement agency in the process of a civil or criminal investigation.



- A government agency or department requesting the information.
- As required by law.

PIPEDA permits Tri-Phase to *transfer* personal information to a third party, *without* the individual's knowledge or consent, if the transfer is simply for processing purposes and the third party only uses the information for the purposes for which it was transferred. Tri-Phase will ensure, by contractual or other means that the third party protects the information and uses it only for the purposes for which it was transferred.

5.3 Retention of Personal Information

Personal information will be retained in personal files as long as the file is active and for such a period of time as may be prescribed by applicable laws and regulations.

Information contained in an inactive file will be retained for a period of seven (7) years.

6.0 ACCURACY

Tri-Phase endeavours to ensure that any personal information provided by the individual in his or her active file(s) is accurate, current and complete as is necessary to fulfill the purposes for which the information has been collected, used, retained and disclosed. Individuals are requested to notify Tri-Phase of any change in personal or business information.

Information contained in inactive files is not updated.

7.0 SAFEGUARDS

Tri-Phase will use physical, organizational, and technological measures to safeguard personal information to only those Tri-Phase employees who need to know this information for the purposes set out in this Privacy Policy.

Organizational Safeguards: Access to personal information will be limited to specific members of Tri-Phase's management team who have to make a determination as to the individual's eligibility related to the operation of the business. Very limited personal information may be give to other Tri-Phase employees from time to time. Tri-Phase employees are not permitted to copy or retain any personal information on individuals or clients and must return for destruction all such information given to them to review once the purpose for being provided with this information has been fulfilled.

Employees of Tri-Phase are required to sign a confidentiality agreement binding them to maintaining the confidentiality of all personal information to which they have access.



Physical Safeguards: Active files are stored in locked filing cabinets when not in use. Access to work areas where active files may be in use is restricted to specific Tri-Phase employees only.

All inactive files or personal information no longer required are shredded prior to disposal to prevent inadvertent disclosure to unauthorized persons.

Technological Safeguards: Personal information contained in Tri-Phase computers and electronic databases are password protected in accordance with Tri-Phase's *Computer, Network and Internet Access Policy*. Access to any of the Tri-Phase's computers also is password protected. Tri-Phase's Internet router or server has firewall protection sufficient to protect personal and confidential business information against virus attacks and "sniffer" software arising from Internet activity. Personal information is not transferred to any unauthorized individuals or third parties by e-mail or other electronic form.

8.0 OPENNESS

Tri-Phase will endeavour to make its privacy policies and procedures known to the individual via this Privacy Policy. This document is available on Tri-Phase's website: www.triphasegroup.com.

9.0 INDIVIDUAL ACCESS

An Individual who wishes to review or verify what personal information is held by Tri-Phase, or to whom the information has been disclosed (as permitted by the *Act*), may make the request for access, in writing, to the Tri-Phase's Chief Operating Officer. Upon verification of the individual's identity, the Chief Operating Officer will respond within 60 days.

If the individual finds that the information held by Tri-Phase is inaccurate or incomplete, upon the individual providing documentary evidence to verify the correct information, Tri-Phase will make the required changes to the individual's active file(s) promptly.

10.0 COMPLAINTS/RECOURSE (RESOURCES)

If an individual has a concern about Tri-Phase's personal information handling practises, a complaint, in writing, may be directed to the Tri-Phase's Chief Operating Officer.

Upon verification of the individual's identity, Tri-Phase's Chief Operating Officer will act promptly to investigate the complaint and provide a written report of the investigation's findings to the individual.

Where Tri-Phase's Chief Operating Officer makes a determination that the individual's complaint is well founded, the Chief Operating Officer will take the necessary steps to



correct the offending information handling practise and/or revise Tri-Phase's privacy policies and procedures.

Where Tri-Phase's Chief Operating Officer determines that the individual's complaint is *not* well founded, the individual will be notified in writing.

If the individual is dissatisfied with the finding and corresponding action taken by Tri-Phase's Chief Operating Officer, the individual may bring a complaint to the Federal Privacy Commissioner at the address below:

The Privacy Commissioner of Canada
112 Kent Street, Ottawa,
Ontario K1A 1H3
Tel 1-800-282-1376

Website: www.privcom.gc.ca.

Questions/Access Request/Complaint

Any questions regarding this or any other privacy policy of Tri-Phase may be directed to the Chief Operating Officer. Requests for access to information, or to make a complaint, are to be made in writing and sent to the Chief Operating Officer.

Chief Operating Officer:
Email Address:

Camille Atrache
catrache@triphasegroup.com

Amendment to Tri-Phase's Privacy Policies

This Tri-Phase's Privacy Policy is in effect January 1, 2009 and is retroactive to January 1, 2004. This policy is subject to amendment in response to developments in the privacy legislation. The Chief Operating Officer and/or the Controller will review and revise the Privacy Policy from time to time as required by changes in privacy law. Subsequent to any changes in privacy legislation, this policy will be amended and reissued. Alternatively, any revision to this privacy policy after 2015 can be found on Tri-Phase's website: www.triphasegroup.com.

January 3rd, 2017

Camille Atrache
Chief Operating Officer