

Last updated March 1, 2020

California Consumer Privacy Act Disclosure

Applicability

Your privacy is important to us. This California Consumer Privacy Act Disclosure explains how Siebert Williams Shank & Co., LLC and its affiliates (the “Company,” “we,” or “us”) collect, use, and disclose personal information relating to **California residents** covered by the California Consumer Privacy Act of 2018 (“CCPA”). This notice is provided pursuant to the CCPA.

This privacy policy supplements the Company’s National Privacy Policy notice but, to the extent there is any inconsistency, this policy overrides the general notice with respect to California residents. The Company may update this policy from time to time; if it does so, the Company will notify consumers by posting the updated policy on its website.

Introduction

Under the CCPA, “Personal Information” is information that identifies, relates to, or could reasonably be linked directly or indirectly with a particular California resident. The CCPA, however, does not apply to certain information, such as information subject to the Gramm-Leach-Bliley Act (“GLBA”). It also does not currently apply to certain information received by the Company relating to a consumer who is acting as an employee, owner, director, officer, or contractor of a company, partnership, sole proprietorship, non-profit, or government agency and whose communications or transaction with the Company occur solely within the context of the Company conducting due diligence regarding, or providing or receiving a product or service to such company, partnership, sole proprietorship, non-profit, or government agency.

The specific Personal Information that we collect and use relating to a California resident covered by the CCPA will vary based on our relationship with that individual. For example, this Disclosure does not apply with respect to information that we collect about California residents who apply for or obtain financial products and services for personal, family, or household purposes. For more information about how we collect, disclose, and secure information relating to these customers, please refer to our National Privacy Policy.

Keeping Personal Information secure is a priority. Consistent with our obligations under applicable laws and regulations, we maintain physical, technical, electronic, procedural and organizational safeguards and security measures that are designed to protect personal data against accidental, unlawful, or unauthorized destruction, loss, alteration, disclosure, or access.

Collection and Disclosure of Personal Information

In the past 12 months, we have collected for our business purposes, the following categories of Personal Information relating to California residents covered by this disclosure (including the Company’s employees and those seeking employment with the Company):

Category	Examples	Collected
A. Identifiers	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	Yes
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	Yes
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	Yes
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	No
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	No
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	No
G. Geolocation data.	Physical location or movements.	No
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	No
I. Professional or employment-related information.	Current or past job history or performance evaluations.	Yes
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C.	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	No

Section 1232g, 34 C.F.R. Part 99)).		
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	No

The categories of sources from which we collected this Personal Information are:

- Directly from a California resident or the individual’s representatives;
- Service providers and other third parties;
- Public record sources (federal, state or local government sources);
- Websites/social media; and
- Information from corporate clients about individuals associated with the clients (e.g., an employee or board member).

The categories of third parties to whom we disclosed Personal Information for our business purposes described in this privacy disclosure are:

- Vendors and Service Providers who provide services such as email delivery, auditing, marketing, and background checks;
- Third Parties who provide services such as payment, banking and communication infrastructure, storage, legal expertise, tax expertise, notaries and auditors;
- Clearing firms and other Third Parties who enable customers to conduct transactions; and
- Government agencies as required by law, rule, or regulation.

Use of Personal Information

In the past 12 months, we have used Personal Information relating to California residents to operate, manage, and maintain our business, to provide our services and to accomplish our business purposes and objectives, including the following:

- Performing services, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, or providing similar services; and
- Complying with laws and regulations and to comply with other legal process and law enforcement requirements (including any internal policy based on or reflecting legal or regulatory guidance, codes or opinions).

Sale of Personal Information

The Company does not and will not sell personal information.

Rights under the CCPA

If you are a California resident, you have the right to:

1. Request we disclose to you free of charge the following information covering the 12 months preceding your request:
 - a. the categories of Personal Information about you that we collected;
 - b. the categories of sources from which the Personal Information was collected;
 - c. the purpose for collecting Personal Information about you;
 - d. the categories of third parties to whom we disclosed Personal Information about you and the categories of Personal Information that was disclosed (if applicable) and the purpose for disclosing the Personal Information about you; and
 - e. the specific pieces of Personal Information we collected about you;
2. Request we delete Personal Information we collected from you, unless the CCPA recognizes an exception; and
3. Be free from unlawful discrimination for exercising your rights under the CCPA.

We will acknowledge receipt of your request and advise you how long we expect it will take to respond if we are able to verify your identity. Requests for specific pieces of Personal Information will require additional information to verify your identity.

If you submit a request on behalf of another person, we may require proof of authorization and verification of identity directly from the person for whom you are submitting a request. In some instances, we may not be able to honor your request. For example, we will not honor your request if we cannot verify your identity or if we cannot verify that you have the authority to make a request on behalf of another individual. Additionally, we will not honor your request where an exception applies, such as where the disclosure of Personal Information would adversely affect the rights and freedoms of another consumer or where the Personal Information that we maintain about you is not subject to the CCPA's access or deletion rights (including pursuant to the business-to-business exception).

We will advise you in our response if we are not able to honor your request. We will not provide social security numbers, driver's license numbers or government issued identification numbers, financial account numbers, health care or medical identification numbers, account passwords or security questions and answers, or any specific pieces of information if the disclosure presents the possibility of unauthorized access that could result in identity theft or fraud or unreasonable risk to data or systems and network security.

We will work to process all verified requests within 45 days pursuant to the CCPA. If we need an extension for up to an additional 45 days in order to process your request, we will provide you with an explanation for the delay.

How to Exercise Your Rights

If you are a California resident, you may submit a request by:

1. Sending an email to DataPrivacy@siebertwilliams.com
2. Calling (212) 373-4239

CCPA Data Rights Are Not Available for Certain Personal Information

CCPA data rights are not available for personal information we collect about you in the course of you acting as a job applicant to or an employee, owner, director, officer, or contractor of the Company, including, in these contexts, your emergency contact information and personal information that is necessary for us to retain to administer benefits for another person relating to you acting as a job applicant to or an employee, owner, director, officer, or contractor of the Company. Any personal information we collect and use will only be used within the context of your role or former role in these capacities.