

Cretex Companies
Privacy Policy
Last Updated: February 15, 2019

1. Introduction

ATTENTION: PLEASE READ CAREFULLY THIS CRETEX COMPANIES, INC. (INCLUDING RMS, RMS SURGICAL, JUNOPACIFIC, SPECTRALYTICS, MEIER, QTS, RMS CONNECTORS, CRETEX MATERIALS, CRETEX SPECIALTY PRODUCTS, AND ELK RIVER MACHINE COMPANY, COLLECTIVELY REFERRED TO IN THIS PRIVACY POLICY AS “CRETEX COMPANIES,” “CRETEX,” “WE,” OR “OUR”) PRIVACY POLICY (“PRIVACY POLICY”), BEFORE YOU (“YOU”) ACCESS, DOWNLOAD ANY CONTENT FROM, OR OTHERWISE USE THE SERVICE. TERMS DEFINED IN OUR TERMS OF USE (“TOU”) HAVE THE SAME MEANING IN THIS PRIVACY POLICY. FOR THE PURPOSE OF EU DATA PROTECTION LAW, CRETEX COMPANIES, INC. IS THE ENTITY RESPONSIBLE FOR THE PROCESSING OF PERSONAL DATA AS DESCRIBED IN THIS PRIVACY POLICY.

ACCESSING, DOWNLOADING OR OTHERWISE USING THE SERVICE INDICATES THAT YOU ACCEPT AND AGREE TO BE BOUND BY THIS PRIVACY POLICY IN FULL. IF YOU DO NOT ACCEPT THIS PRIVACY POLICY, DO NOT ACCESS, DOWNLOAD OR OTHERWISE USE THE SERVICE. You acknowledge (a) that you have read and understood this Privacy Policy; and (b) for users outside the European Union, this Privacy Policy shall have the same force and effect as a signed agreement.

This Privacy Policy only applies to your visits to the Cretex Companies’ websites. Other websites which are linked to/from the Service (including the Cretex jobs portal) may have different policies. Please review the privacy policy notices and agreements on the linked websites and services for details.

Unless explicitly stated otherwise, any new features that augment or enhance the current Service shall be subject to this Privacy Policy.

Please review the Privacy Policy each time you use the Service. If we materially change this Privacy Policy, we will update this page to reflect any changes to this Privacy Policy and notify you by email, if we have your email address. **BY USING THE SERVICE, YOU AGREE TO BE BOUND BY THE MOST RECENT VERSION OF THE PRIVACY POLICY.**

2. Information We Collect

We may collect information from you when you use the Service and when you contact or interact with us.

A. Information You Provide to Us

When you submit a contact request through the Service, you may provide some personally information to Cretex including your name, email address, city, state, and any other information that you provide.

When searching for a position with Cretex, you will be redirected to another website, run by ApplicantPro, which hosts our job listings, such as <https://cretexinc.applicantpro.com/jobsbyorganization/>. While ApplicantPro’s Privacy Policy and Terms

of Use govern the services that it provides, personal information that you submit while applying for a position on ApplicantPro's website – like your name, address, previous addresses, email address, and telephone number – may be provided to Cretex for employment purposes.

B. Information We May Collect Automatically When You Use the Service

When you access and use the Service, we may automatically collect information regarding you and your device, including your device's internet protocol address, the domain name of your internet service provider, your location, your mobile device information (e.g., device model and operating system version), your page visits, and aggregated information that cannot be used to specifically identify you. Additional information collected is described in the **Analytics** and **Cookies, Local Storage and Other Tracking Technologies** sections below.

C. Information We May Collect From Other Sources

We may collect information about you from third party sources including social media companies.

- **Twitter.** By clicking on a Twitter button on the Service, you may automatically be transported to one of the official Twitter feeds of Cretex.
- **Facebook.** By clicking on a Facebook button on the Service, you may be automatically transported to one of the official Facebook Pages for Cretex.
- **LinkedIn.** By clicking on a LinkedIn button on the Service, you may be automatically transported to one of the official LinkedIn profiles for Cretex.
- **YouTube.** By clicking on a YouTube button on the Service, you may be automatically transported to one of the official YouTube channels for Cretex.

Some pages of the Service use ApplicantPro for online employment applications. We may receive personal information about you as permitted or required by law. We may combine all of the information we collect from you and from ApplicantPro as described in Sections 2.A and 5.B below or about you, and use it in the manner described in this Privacy Policy.

3. How We Use Your Information

We may use the information that we collect for several purposes, including:

- The purposes for which you provided it;
- To provide services to you;
- To redirect you to the ApplicantPro job website and consider you for positions for which you apply;
- To process and respond to your inquiries and comments;
- To identify you as a user of the Service;
- To connect with your social media accounts;
- To send you information about your relationship or transactions with us;
- To enable you to provide comments and participate in questions and answers;

- To contact you with information, including promotional information, that we believe will be of interest to you;
- To provide relevant advertising;
- To display relevant advertising across websites;
- To create anonymous data and to compile aggregate data, which we may use for any purpose, including for internal and external business purposes;
- To analyze the Service;
- To administer, operate, and improve the Service or develop new services;
- To generate and review reports and data about our user base and service usage patterns;
- To prevent fraud and abuse of the Service and to otherwise protect users and visitors and our business;
- To assist law enforcement and respond to subpoenas; and,
- To perform other business activities as needed, or as described elsewhere in this Privacy Policy or the TOU as permitted or required by law.
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Please note that you may choose not to allow us to use your personal information for certain purposes as described in the **Your Choices Regarding Your Information** section below.

4. Legal Bases for Processing Your Information (for users in European Union)

Performance of a contract

The use of your personal information may be necessary to perform the agreement you have with us to provide products and services. For example, to respond to your requests.

Legitimate interests

We may use your personal information for our legitimate interests. For example, we rely on our legitimate interest to deliver our services to our users, to administer, analyze and improve our services and the content on the Service, to operate our business including through the use of service providers and subcontractors (who may have access to your data – see further under the section **How Your Information is Disclosed**), to send you notifications about our services, for archiving, records keeping, statistical and analytical purposes, or to use your personal information for administrative, fraud detection, audit, training, security, or legal purposes.

Consent

Prior to accessing this site and providing your personal data, you may have provided your informed consent to the collection and use of certain personal data. However, even where your consent is sought and obtained, Cretex only relies on your consent as the legal basis for the processing of your personal data if none of the other legal bases referred to in this Section 4 applies. You are free to withdraw your consent at any time, subject to the **Your Choices Regarding Your Information** section below and the preceding **Legal Bases for Processing Your Information** in this Section.

Compliance with legal obligations

We may use your personal information to comply with legal obligations to which we are subject, including to comply with legal process.

Performance of a task carried out in the public interest

We may use your personal information may be necessary to perform a task in the public interest.

5. How Your Information Is Disclosed

Information may be disclosed to third parties in accordance with our Privacy Policy. Please note that a user may choose not to share certain information as described in **Your Choices Regarding Your Information** below.

A. Third Party Service Providers and Business Partners

We may use third party service providers, and business partners, and plug-ins to perform functions in connection with the Service, such as site analytics, email marketing, security, administration, technical services relating to the maintenance, servicing, and upgrading of software, hosting, data migration and functions related to analyzing and improving the Service usefulness, reliability, user experience, and operation, advertising, storing data, accepting employment applications, managing customer relationships, social sharing, and as otherwise described in this Privacy Policy. We also may share your personal information with these providers and partners, where legally required subject to your prior opt-in, for their direct marketing and promotional purposes and so they can provide services to you.

B. Employment & Careers Page

We use a third-party service provider, ApplicantPro, to collect information through a Careers page and the storage, sharing, and use of that information is covered by its privacy policy, which you can view here: <https://www.applicantpro.com/privacy/>.

If you are interested in pursuing career opportunities within the United States, you can review and apply for job openings listed in an online jobs database. If you elect to proceed, you will be seamlessly linked to a website maintained by ApplicantPro from its facility in California, U.S.A. As we are not responsible for the content, data collection or privacy policies of ApplicantPro, we urge you to read the privacy and security policies of ApplicantPro (see link above), as well as ApplicantPro's Applicant Privacy Policy (<https://admin.applicantpro.com/applicant-privacy-policy/>) before providing any personal information.

If you choose to apply online for a job posted on the ApplicantPro website, you may be required to provide your name, address, previous addresses, email address, telephone number, employment history, educational background, references, responses to job-related questions, and documents such as a resume and educational records. Your responses to these questions may be used in evaluating your qualifications for a position. Please do not include your social security number, credit card or bank account numbers, and non-work related personal information such as eye color, marital status, etc.

At the beginning of the application process, you may be asked to provide your email address. If you do not have an email address, please contact Human Resources at 763-441-2121 or cretexHR@cretex.com.

The personal information that you submit to ApplicantPro while online may be accessed and downloaded by Cretex professionals located in the United States through a secured connection to the

ApplicantPro database and used for evaluating your qualifications for the job for which you have applied and other jobs that may suit your experience and qualifications. In addition, the provisions of this policy relating to use of information apply to any information that may be accessed or downloaded by Cretex from the ApplicantPro database.

You may receive emails or text messages from ApplicantPro about your application, such as an email or text message thanking you for submitting your resume.

Other than ApplicantPro, Cretex does not share resume or application information with third parties without specific authorization from you.

C. Business Changes

If we become involved in a merger, acquisition, sale of assets, joint venture, securities offering, bankruptcy, reorganization, liquidation, dissolution, or other transaction or if the ownership of all or substantially all of our business otherwise changes, we may transfer your information to a third party or parties in connection therewith.

D. Affiliates

We may also share your information with our affiliates for purposes consistent with this Privacy Policy. Our affiliates will be required to maintain that information in accordance with this Privacy Policy.

E. Investigations and Law

We may disclose information about you to third parties if we believe that such disclosure is necessary to:

- Investigate, prevent, or take action regarding suspected illegal activities, suspected fraud, the rights, reputation, safety, and property of us, users or others, or violations of our policies or other agreements with us;
- Comply with the law or guidance and cooperate with government or law enforcement officials or private parties;
- Respond to claims and legal process (for example subpoenas); and/or
- Protect against legal liability.

F. Aggregated Information

We may share aggregated information relating to users of the Service with affiliated or unaffiliated third parties. This aggregated information does not contain personal information about any user.

G. Analytics

We use third party analytics tools to better understand who is using the Service and how people are using it. These tools may use cookies and other technologies to collect information about your use of the Service and your preferences and activities. These tools collect information sent by your device or

the Service and other information that assists us in improving the Service. This information may be used to, among other things, analyze and track data, determine the popularity of certain content, and better understand your online activity, among other things.

- **Universal Analytics.** We use Google’s Universal Analytics to better understand who is using the Service and how people are using it. Google uses cookies, pixel tags and other technologies to collect and store information such as Service pages visited, places where users click, time spent on each Service page, IP address, type of operating system used, location-based data, device ID, search history, gender, age, and phone number. We use this information to improve the Service and as otherwise described in this Privacy Policy. Please see <http://www.google.com/policies/privacy/partners/> for information about how Google Analytics uses this information, visit <https://tools.google.com/dlpage/gaoptout> for information about the Google Analytics Opt-out Browser Add-on, and visit <http://www.google.com/settings/ads/> to adjust the settings for your Google account. Google may track your activity over time and across websites.
- **Google Tag Manager.** We may use Google Tag Manager to better understand who is using the Service, how people are using it, and to improve advertising. Please see <https://www.google.com/analytics/tag-manager/use-policy/> for more information about how Google Tag Manager uses this information.
- **Google Maps.** Further, the Service may have embedded Google Maps. Google may collect information from you when you use the embedded Maps. For more information, please review the Google Maps API Terms of Use: <https://developers.google.com/maps/terms>.
- **Typekit by Adobe.** We may use Typekit by Adobe to serve fonts and enhance performance of the Service. Adobe may use cookies to collect information relating to your JavaScript version, the amount of time it takes for you to download and apply fonts, and whether you are using an ad blocker and the effects of your ad blocker on Service rendering. For more information, please see Typekit by Adobe’s Privacy Policy: <https://www.adobe.com/privacy/policies/typekit.html>.

6. Cookies, Local Storage, and Other Tracking Technologies

We, along with third parties, use cookies, local storage objects, web beacons and other technologies. These technologies are used for analyzing, personalizing, and optimizing the Service.

Cookies are small files that are transferred to and stored on your device through your web browser (if you allow it) that enable the website’s or service provider’s system to recognize your browser and capture and remember certain information. You can instruct your browser to stop accepting cookies. But if you do not accept cookies, you may not be able to use all portions of all functionality of the Service.

The information collected through the use of cookies, web beacons and other technologies may be collected over time and combined with information collected on different websites and online services, which may be used for remarketing and may track users across websites and apps and over time.

A. Cookies

When you visit the Service, we may use a technology called “cookies” which stores certain information on your device and which will allow us to customize your experience to better match your interests and preferences, or to simply facilitate your signing in to use the Service. Most browsers will allow you to erase cookies from your device, block acceptance of cookies, or receive a warning before a cookie is stored. However, if you block or erase cookies, we may not be able to restore any preferences or customization settings you previously specified, and our ability to personalize your online experience would be limited. Please refer to your browser instructions or “help” screen to learn more about these functions.

B. Web Beacons

Also, Cretex, or third parties, may collect anonymous information from visits to our sites through the use of “web beacons.” Web beacons are small graphic images or other programming code (also known as “web bugs,” “1x1 GIFs” or “clear GIFs”) used to keep track of your navigation through the Service and your electronic communication with us. We may include web beacons in our web pages and email messages. Web beacons may be invisible to you, but any electronic image or other web programming code inserted into a web page or email can act as a web beacon. Web beacons or similar technologies may be used for a number of purposes, including, without limitation, to count visitors to the Service, to monitor how users navigate the Service, to count how many emails that were sent were actually opened or to count how many particular articles or links were actually viewed. Web beacons may be used to collect certain personal information (for example, the email address associated with an email message). This information is sometimes known as “clickstream data.” We may use this data to analyze trends and statistics to improve your online experience, or customer service.

We use cookies and other tracking technologies on the Service to help us understand and save your preferences and interests so we can personalize your future visits and compile aggregate data about website traffic and website interaction so that we can offer better website experiences and tools in the future. Some of our business partners, such as our analytics providers and social media connections, also use cookies and other tracking technologies on the Service, some of which may track users across websites and over time.

7. Security

We implement a variety of security measures to protect the safety of your personal information when you enter, submit, or access your personal information.

While we take reasonable measures to protect the information you submit via the Service against loss, theft and unauthorized use, disclosure, or modification, we cannot guarantee its absolute security. No Internet, email, or mobile application transmission is ever fully secure or error free. Email or other messages sent through the Service may not be secure. You should use caution whenever submitting information through the Service and take special care in deciding which information you provide us.

We cannot guarantee that transmissions of your personal information will be fully secure and that third parties will never be able to defeat our security measures or the security measures of our partners. WE ASSUME NO LIABILITY FOR DISCLOSURE OF YOUR INFORMATION DUE TO TRANSMISSION ERRORS, THIRD-PARTY ACCESS OR CAUSES BEYOND OUR CONTROL.

Any information collected through the Service is stored and processed in the United States. If you use our Service outside of the United States, you consent to having your data transferred to the United States.

8. Data Retention, Managing Your Information

We will retain your information for as long as you use the Service and for a reasonable time thereafter. We may maintain anonymized or aggregated data, including usage data, for analytics purposes. We may retain and use your information as necessary to comply with our legal obligations, resolve disputes, enforce our agreements, and/or for the period required by laws in applicable jurisdictions. Please note that some or all of the information we have collected may be required for the Service to function properly.

9. Links to Other Websites or Applications

This Privacy Policy applies only to the Service. The Service may contain links to other websites or apps or may forward users to other websites or apps that we may not own or operate and to which this Privacy Policy does not apply. The links from the Service do not imply that we endorse or have reviewed these websites or apps. The policies and procedures we describe here do not apply to these websites or apps. We neither can control nor are responsible for the privacy practices or content of these websites or apps. We suggest contacting these websites or app providers directly for information on their privacy policies. Nonetheless, we seek to protect the integrity of our Service, and welcome any feedback about these linked websites and mobile applications.

10. Your Choices Regarding Your Information

You have choices regarding the use of information by the Service.

A. Changing Your Information

You may request to review, update, or have deleted any personal information collected from you through the Service. Just send us an email asking to review or update your personal information, or to have us delete your personal information. However, we reserve the right to retain personal information as necessary for our business purposes and to comply with federal and state laws.

B. Email Communication

You can make changes regarding receiving email communications from us by contacting us at cretexis@cretex.com.

C. Withdrawing Consent

If you are an individual residing in the EU, and you provided your consent for any particular processing of your personal information, you have the right to withdraw your consent to our processing of your information any time by requesting that your personal information be deleted. See further under the section **EU Privacy Rights** below. This deletion is permanent and your information cannot be reinstated. To proceed with this request, please email cretexis@cretex.com.

D. Social Networking

You should make sure you are comfortable with the information that a third party social networking service may make available to us by carefully reviewing the social media service's privacy policy and terms and conditions and by modifying your privacy settings directly on that service.

E. Opt-Outs Available from Our Partners

Some of our partners allow users to opt-out of their collection of information. Some of our partners provide information on controlling cookies. For more information you may visit the [Network Advertising Initiative's Consumer Opt-Out Link](#) and/or the [Digital Advertising Alliance's Consumer Opt-Out Link](#) to opt-out of receiving tailored advertising from companies that participate in those programs.

To opt out of Google Analytics for Display Advertising or customize Google Display Network ads, you can visit the [Google Ads Settings](#) page. Please note that to the extent advertising technology is integrated into the Service, you may still receive advertisements even if you opt-out of tailored advertising. In that case, the ads will just not be tailored to your interests. Also, we do not control any of the opt-out links above and are not responsible for any choices you make using these mechanisms or the continued availability or accuracy of these mechanisms.

See **Analytics and Cookies, Local Storage and Other Tracking Technologies** sections above for details.

11. EU Privacy Rights

Users based in the European Union have the following legal rights in respect of their information:

- The right to require Cretex to confirm whether or not their information is being processed, the purpose of any such processing, the recipients of any information that has been disclosed, the period for which their information is to be stored, and whether any automated decision-making processes are used in relation to their information;
- The right to require Cretex to rectify inaccurate information without undue delay;
- The right to request the erasure of their information. Subject to certain conditions, Cretex may be required to erase the information in response to such request where:
 - the information is no longer necessary in relation to the purpose for which it was collected, such as where a user chooses to terminate his or her use of the Service;
 - where the processing of the information is based on the user's consent (and the other circumstances described in the **Legal Bases for Processing Your Information** and **How Your Information is Disclosed** sections above no longer apply), if the user withdraws his or her consent; or
 - the user objects to the processing of his or her information and there are no overriding legitimate grounds for the processing.
- Where Cretex has disclosed the information of a European Union user to a third party and the user requests the erasure or rectification of the data, Cretex will take all reasonable steps to inform the third party of such request.
- The right to restrict Cretex from processing their information in certain circumstances, such as where the accuracy of that information is disputed or an objection has been raised (see below). In such circumstances, Cretex will only process that information with the express consent of the user, or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest;

- The right to receive their information from Cretex in a structured, commonly used and machine-readable format;
- The right to object to the processing of their information by Cretex where:
 - Cretex has relied on the 'legitimate interest' basis for processing that information, in which case we will immediately stop processing the user's information unless we have compelling legitimate grounds which override the interests, rights and freedoms of the user; or
 - the information is used for direct marketing purposes, in which case we will immediately stop processing the user's information for such purposes.
- The right to lodge a complaint with the data protection supervisory authority of the EU member state where the user resides.
- The above legal rights are subject to various conditions and exceptions including where the data is used for statistical or scientific research purposes and the exercise of the right would prevent such purposes from being attained or would seriously impair their attainment.

12. Information Collected from Other Websites, Cretex's Do Not Track Policy

Through cookies we place on your browser or device, we and our partners may collect information about your online activity after you leave the Service. Just like any other usage information we collect, this information allows us to improve the Service and customize your online experience, and otherwise as described in this privacy policy.

Your browser may offer a "Do Not Track" option, which allows you to signal to operators of websites and mobile applications and services (including behavioral advertising services) that you do not wish such operators to track certain of your online activities over time and/or across different websites and mobile applications and services. Cretex's Service does not support Do Not Track requests at this time, which means that we collect information about your online activity both while you are using the Service and after you leave the Service.

13. Children

Our Service is not intended for children under 16 years of age. We do not knowingly collect personal information from an individual under age 16. If you are under the age of 16, please do not submit any personal information through the Service. If you have reason to believe that we may have accidentally received personal information from an individual under age 16, please contact us immediately at cretexis@cretex.com.

14. Terms of Use

Please also visit [Cretex's Terms of Use](#), which states the terms, disclaimers, and limitations of liability governing your use of the Service.

15. Changes to the Privacy Policy

We reserve the right to update or modify this Privacy Policy at any time and from time to time without prior notice. Please review this Privacy Policy periodically, and especially before you provide any information. This Privacy Policy was made effective on the date indicated above.

16. Your California Privacy Rights

Section 1798.83 of the California Civil Code permits California residents to request from a business, with whom the California resident has an established business relationship, certain information about the types of personal information the business has shared with third parties for those third parties' direct marketing purposes and the names and addresses of the third parties with whom the business has shared such information during the immediately preceding calendar year. California residents may make one request each year by emailing us at cretexis@cretex.com.

17. How to Contact Us

For any enquiries or complaints relating to the use of your personal information or this Privacy Policy, please feel free to contact us by emailing us at cretexis@cretex.com or by writing us at Cretex Companies, Inc, 311 Lowell Avenue, Elk River, MN 55330.