

Privacy Policy

EFFECTIVE DATE: August 24, 2021

I. General Information

At National Arbitration and Mediation, LLC (“NAM”, “we”, “us” or “our”), we are committed to protecting your privacy and ensuring you have a positive experience on our website (“www.namadr.com”), when using the site, our arbitration and mediation services through our portal (“myadr.namadr.com”), our arbitration services for New York State Paid Family Leave disputes through our portal (“nyspfla.namadr.com”) and/or our clickNsettle service (www.clicknsettle.com) (“CNS”). The following policy dictates how and why we collect, use, retain, and share personally identifiable data (“Personal Data”, “information” or “PII”) provided to us affirmatively by users, automatically via service usage, and/or via third parties. This policy applies to all geographies where NAM conducts business, including where you may have additional rights surrounding the usage of your personal information. This policy will be posted on our website and may be updated occasionally for reasons such as operational or business practices or regulatory changes. Any policy updates take effect immediately upon posting.

Please note that, before using some of our services (CNS, for example), you may be asked to enter into a binding legal agreement by clicking the “agree” button in the applicable terms and conditions (each, a “User Agreement”), which may give us rights in or to use your information that are broader and/or different than the terms of this policy. To the extent the terms of any such User Agreement conflict with the terms of this policy, the terms of such User Agreement will prevail.

II. Collection of your Personal Data

Throughout this policy, “Personally Identifiable Data” will be defined as information which can be reasonably linked to a specific person. NAM may collect the following types of personal data when you interact with our website and/or portals. This information may be collected directly from users about themselves or others, or on an automated basis.

- Common identifiers such as name, username, physical address, email address, phone numbers, and the like;
- Information about your job, such as your title and employer;
- Billing data, including credit/debit card or other payment information;
- Publicly available data from you;
- Social media profile information;
- Service preferences;
- Information about your device, network, and internet connection, such as your Internet Protocol (“IP”) address(es), Internet Service Provider (“ISP”), MAC address, other device ID (UDID), device type, operating system and browser type and version and date/time stamp, and client version;
- Information about your usage of or other interaction with our services and website (“Usage Information”);

- Other information you upload, provide, or create while using NAM's services.

In certain instances, you may choose whether or not to provide personal data to NAM. However, it may restrict accessibility to certain options and services on our platforms. You can adjust certain settings to reduce the amount of Personal Data we automatically collect from you by updating cookie preferences in your browser's setting.

We may also collect and share some personal data from and with third-party partners and service providers. Agreements with our service providers limit what may be done with the data collected on our behalf. We may also receive personal data that third parties collect in other contexts, which we use in order to better understand our users, advertise and market, and enhance our services. For more information, see the section titled Sale of Personal Data.

Customer Content

Customer Content is information provided by the customer to NAM through the usage of services. This information includes, but is not limited to, cloud recordings of webinars, files, whiteboards, and other information shared while using NAM's services. Customer Content does not refer to data generated by NAM's network and systems (i.e., routing information and other meeting metadata).

Regarding passive collection, including the use of cookies

NAM, our third-party service providers, and advertising partners (e.g., Google Ads and Google Analytics) automatically collect some information about you when you use our services, using methods such as cookies and tracking technologies (further described below). Information automatically collected includes Internet protocol (IP) addresses, browser type, Internet service provider (ISP), referrer URL, exit pages, the files viewed on our site (e.g., HTML pages, graphics, etc.), operating system, date/time stamp, and/or clickstream data. We use this information to offer and improve our services, trouble shoot, and to improve our marketing efforts.

Passive collection involves using cookies or similar technologies to analyze trends, administer the website, track users' movements around the website, and gather information about our user base, such as location information at the city level (which we derive from IP addresses). We and they use various technologies to collect information which may include saving cookies to your computers. For more information regarding cookie policies of technologies that we leverage, please review the privacy policy for Google, Zoom, Bluejeans, [Cisco WebEx](#), [Skype](#), and [Live Chat](#).

Regarding meeting recordings

If you participate in a webinar, we collect Personal Data from you in connection with and through such recordings. Meeting hosts are responsible for notifying you if they are recording a meeting, and you will generally hear a notice or see an on-screen notification when recording is in progress.

III. Use and Disclosure of Personal Data

We may use the personal data we collect for a range of business purposes such as to:

- Manage and improve the use of our website, portals and services;
- Enable meetings and webinars between hosts, users and client participants;
- Fulfill requests you make related to our services;
- Protect, investigate and deter against fraudulent, harmful, unauthorized or illegal activity to the website, portals and services;
- Respond to inquiries and requests and to provide you with information and access to resources that you have requested;
- Aggregate and analyze your use of the website, our portals and our services for trend monitoring purposes;
- Provide reports to users based on information collected from use of our services;
- Provide support and assistance for our services;
- Provide the ability to create personal profile areas and view protected content;
- Provide the ability to perform billing activities when using our services;
- Provide customer feedback and support;
- Complying with our contractual and legal obligations and enforcing our agreements

We process your Personal Data (i) with your consent (where necessary), (ii) for the performance of any contract you have with us (such as your agreement with us that allows us to provide you with our services), and (iii) for other legitimate interests and business purposes in a manner reasonably proportionate to providing, running, personalizing, improving, operating, maintaining our services.

Some of this information may be shared with other meeting/webinar participants, as appropriate. For example, all messages and content you share in a meeting/webinar, including personal data about you or others, will be available to all other participants in that meeting/webinar. If you share a meeting/webinar link with another user who is not already in the meeting/webinar, when that user tries to join the meeting he or she will be able to see the list of other users in the meeting/webinar, as well as other invitees joining the meeting/webinar.

Importantly, much of the Personal data we collect, we collect on behalf of our customers and do not claim ownership or control over the data collected, though we do reserve the right to use it in accordance with this privacy policy.

In addition to the aforementioned, we may use identifiers, employment information, payment information, Social Media profile information, technical information, demographic information, usage information, and user-generated information:

- To provide customer feedback and support (<https://www.namadr.com/about/contact-us/>);

- Providing you with information and offers from us;
- To the extent you choose to participate, to conduct questionnaires and surveys in order to provide better services to our customers and end users;
- To support recruitment inquiries (<https://www.namadr.com/about/careers/>);
- To personalize marketing communications and website content based on your preferences, such as in response to your request for specific information concerning services that may be of interest;
- To comply with legal or billing obligations;
- To optimize connection and quality of technical connectivity to our services

Users can sign-up to receive email or newsletter communications from us. If you would like to discontinue receiving these communications, you can update your preferences by using the “Unsubscribe” link found in such emails, by emailing customerservice@namadr.com, or by calling us directly.

Sale of Personal Data

NAM does not rent or sell Personal Data about you. As previously mentioned, we may share and disclose Personal Data that we collect with third parties, solely for legitimate business or legal purposes and in accordance with applicable law. Categories of third parties with whom Personal Data may be shared include

Third-Party Category	Description/Purpose
Email service provider	To send emails to our customers
Payment processors	To process payments via credit cards or checks
Accounting vendors	To perform accounting and tax related activities
Translators	To translate documentation so we can process your request and provide services
Website vendor	To support the configuration of the website for enabling cookies to collect information concerning our visitors
Shredding vendors	To securely destroy information or data that no longer needs to be retained by NAM
Storage vendors	To store information related to NAM’s business and customers required to be retained for business and legal purposes
Video conferencing solutions	To support our business process for enabling webinars and conferencing solutions by collecting information concerning meeting participants and by recording webinars.

NAM uses certain standard advertising tools to help us improve your advertising experience which may fall within the extremely broad definition of the “sale” of Personal Data under certain state laws because those companies might use Personal Data for their own business purposes, as well as NAM’s purposes. For example, Google may use this data to improve its advertising services for *all* companies who use their services. (It is important to note advertising programs have historically operated in this manner. It is only with recent developments in data privacy laws that such activities fall within the definition of a “sale”). If you opt out of the “sale” of your info, NAM will no longer directly share with third parties your Personal Data that may have been used for these activities, but once portions or aspects of such Personal Data are aggregated as part of NAM or third-party analytics, such information cannot be individually removed or deleted and thus may be shared in that aggregated form.

Data Retention

How long we retain your personal data depends on the type of data and the purpose for which we process the data. We will retain your Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Notice unless a longer retention period is required by law, for legal, tax or regulatory reasons, or for other legitimate and lawful business purposes.

Security of your Personal Data

NAM is committed to protecting the personal data you share with us through our website, portals and services. We utilize a combination of security technologies, procedures, and organizational measures to help protect your personal data from unauthorized access, use, or disclosure. When we transfer credit card information over the Internet, we protect it using Transport Layer Security (TLS) encryption technology.

Please note that no website is completely secure and so, while we endeavor to protect our customers' data using the measures described above, we cannot guarantee that unauthorized access, hacking, data loss or a data breach will not occur. If you have any questions about the security of your personal data, you can contact us at customerservice@namadr.com.

Linked Websites and Third-Party Services

Our websites, portals and services may provide links to other third-party websites and services which are outside our control and not covered by this policy. We encourage you to review the privacy policies posted on these (and all) sites you visit or services you use.

The inclusion of a link does not imply our endorsement of the linked site or service. You should check the privacy notices of those sites before providing your personal information to them.

IV. Data Subject Rights

We do our best to give you reasonable control over the personal data we process about you. Depending on where you reside, you may be entitled to certain legal rights with respect to your personal data including, where applicable:

- **Access:** Requesting information about and access to personal data we hold about you, with a twelve-month lookback window. This includes the reasons we collected the data and with whom we have shared the data.
- **Rectification:** Requesting that we correct or supplement such data about you that is incorrect or incomplete.
- **Objection:** Contacting us to let us know that you object to the collection or use of your personal data for certain purposes. If you believe NAM may have collected or stored personal information from you on behalf of a NAM customer, please contact the NAM customer with any requests related to your personal information.
- **Opt Out of “Sales”:** Electing to have us opt you out of certain advertising practices related to your personal data. NAM does not exchange your personal data with third parties for payment, even if you do not opt-out of the “sale” of information. If you opt-out, we will adjust your preferences accordingly.
- **Erasure:** Requesting that we erase some or all of your personal data from our systems.
- **Restriction of Processing:** Asking us to restrict further processing of your personal data.
- **Portability:** Requesting a copy of your personal data in a machine-readable format or that we transmit the data to another entity where technically feasible.
- **Withdrawal of Consent:** Withdrawing consent at any time where we are processing your personal data based on your consent (as indicated at the time of collection of such data).
- **Right to File Complaint:** Lodging a complaint about NAM’s practices with respect to your personal data with the supervisory authority of your country or EU Member State.

Should you reside in a jurisdiction which grants you these rights, we will, to the best of our ability, respond to any requests made. This potentially may include supplying a yearly accounting of information identifying each third-party company to whom we may have disclosed, within the past year, personal information pertaining to you for our direct marketing purposes, and a description of the categories of personal information disclosed. Under certain circumstances, we will not be able to fulfill your request, such as if it interferes with our regulatory obligations, affects legal matters including a NAM user’s rights to data, if we cannot verify your identity, or if it involves disproportionate cost or effort. In any event, we will respond to your request within a reasonable timeframe and provide you with an explanation.

In order to make such a request of us or have your designated agent do so, please contact our Privacy Team at customerservice@namadr.com or by writing to the following address:

NAM (National Arbitration and Mediation)
Attention: Director of Information Technology
990 Stewart Avenue
Garden City, NY 11530

Children's Privacy

NAM does not provide products or services that are designed for use by children under the age of 13, or knowingly collect Personal Data from or about children under the age of 13. If you believe that a child under the age of 13 has disclosed personal information to NAM, please contact customerservice@namadr.com.

Contact Us

If you have any privacy-related questions or comments related to this privacy policy, please send an email to customerservice@namadr.com. You can also contact us by writing to this address:

NAM (National Arbitration and Mediation)
Attention: Director of Information Technology
990 Stewart Avenue
Garden City, NY 11530