

# **THE ELECTRICAL SAFETY AUTHORITY**

## **CUSTOMER PRIVACY POLICY**

### **Our Privacy Commitment**

The Electrical Safety Authority (“ESA”) is committed to maintaining the accuracy, security and privacy of Personal Information in accordance with applicable Canadian privacy laws. This includes all applicable legislation, regulations and agreements or the order of any court or other lawful authority. This Privacy Policy is a statement of principles and guidelines concerning the protection of Personal Information of our customers. ESA reserves the right to amend this Privacy Policy as required.

### **Your Consent**

BY SUBMITTING PERSONAL INFORMATION TO ESA, OR ITS AGENTS AND SERVICE PROVIDERS, YOU AGREE THAT ESA MAY COLLECT, USE AND DISCLOSE SUCH PERSONAL INFORMATION IN ACCORDANCE WITH THIS PRIVACY POLICY, APPLICABLE LAWS OR PURSUANT TO OUR ADMINISTRATIVE AGREEMENT WITH THE PROVINCE OF ONTARIO.

If you provide us with the personal information on behalf of another individual, you represent that you have all necessary authority and/or have obtained all necessary consents from such individual to enable us to collect, use and disclose such personal information for the purposes set forth in this Privacy Policy.

[What is Personal Information?](#)

[What Personal Information do we Collect?](#)

[Why do we Collect your Personal Information?](#)

[To Whom do we Disclose Your Personal Information?](#)

[Where do we Store Your Personal Information?](#)

[How do we Protect your Personal Information?](#)

[Privacy and our Website](#)

[How can you Obtain Access to Your Personal Information?](#)

[How can you Obtain Further Information Regarding this Policy?](#)

[Changes to our Privacy Policy](#)

### **What is Personal Information?**

Canadian privacy laws broadly define Personal Information as information about an identifiable individual .or as information that allows an individual to be identified. For the purposes of this policy, Personal Information means information about an identifiable individual as defined from time to time in applicable privacy laws. Generally, Personal Information does not include what is considered to be business contact information: your name, title or position, business address, telephone number, facsimile number, or e-mail address.

### **What Personal Information do we Collect?**

The types of Personal Information that ESA may collect about you generally includes your name, home address, home telephone number, personal facsimile number, personal email address, your banking or credit information, and where necessary, information regarding your professional qualifications and background.

### **Why do we Collect your Personal Information?**

ESA limits the collection, use and disclosure of your Personal Information, both in the amount and type of Personal Information, to that which is necessary to fulfill the purposes identified within this Privacy Policy. We will identify the purposes for which your Personal Information is collected at or before the time your Personal Information is collected. ESA has collected and collects Personal Information for the following purposes: a) to establish and maintain responsible commercial relations with Individuals and to provide ongoing service; b) to understand Individual needs; c) to develop, enhance, market or provide services; d) to manage and develop its business and operations; and e) to meet legal or regulatory requirements, including to protect or defend a legal interest.

Below is a non-exhaustive list whereby ESA may collect, use and disclose your Personal Information:

- (a) to consider whether ESA should establish or continue a commercial relationship with you, including without limitation, to extend credit and to evaluate credit standing and to match credit bureau or credit reporting agency information, to check references and to confer with banking institutions;
- (b) to establish and maintain relations with customers, suppliers, financial institutions, and affiliates, and to provide ongoing products and services, administer accounts, make and receive payments, and fulfill contractual obligations;
- (c) to process applications for site inspections and/or to send out confirmation that an application has been filed, notification that an inspection has been completed and/or notices;
- (d) to administer ESA's Authorized Contractor Program;
- (e) to carry out site inspections of property, field evaluations and to provide plan approvals pursuant to the *Electrical Safety Code*;
- (f) to licence Electrical Contractors and Master Electricians to work in Ontario;
- (g) to provide confirmation as to whether there are any outstanding electrical problems at a particular property;
- (h) to investigate complaints regarding breaches of applicable utility statutes and regulations;
- (i) to respond to investigation requests from the Fire Marshall and to respond to orders given by the Fire Marshall under the *Fire Protection and Prevention Act*;
- (j) to investigate and prepare Utilities Incident Reports pursuant to ESA's Agreement with the Ontario Ministry of Labour;
- (k) to enter into and administer lease agreements with tenants of properties owned by ESA;

- (l) to understand and respond to website visitors, customers and potential customers needs and preferences, including to communicate with website visitors, customers and potential customers;
- (m) to conduct surveys, research and statistical analysis;
- (n) to facilitate account inquiries and other customer service assistance;
- (o) to distribute our newsletters, business updates information, safety information, and other materials;
- (p) to develop, enhance, market, sell, provide and inform you of ESA's products and services;
- (q) to develop, enhance, market, sell, provide and inform you of products and services of third parties, including our affiliates and suppliers, with whom ESA has a commercial relationship;
- (r) to update and verify our databases and information provided by third parties;
- (s) to monitor communications to ensure the consistency and quality of the products and services of ESA, our suppliers, and other third parties with whom ESA has a administrative, commercial, statutory or regulatory relationship;
- (t) to develop and manage our knowledge-management precedent systems and databases;
- (u) to detect and protect ESA and other third parties against error, negligence, breach of contract, fraud, theft and other illegal activity, and to audit compliance with ESA policies and contractual obligations;
- (v) to engage in business transactions, including the purchase, sale, lease, merger, amalgamation or any other type of acquisition, disposal, securitization or financing involving ESA;
- (w) as permitted by, and to comply with, any legal or regulatory requirements or provisions applicable to ESA; and
- (x) for any other purpose to which you consent.

### **To Whom do we Disclose Your Personal Information?**

From time to time, ESA may disclose your Personal Information to:

- (a) service providers, including an organization or individual retained by ESA to perform functions on its behalf, such as marketing, data processing, document management and office services;
- (b) an organization or individual retained by ESA to evaluate your creditworthiness or to collect debts outstanding on an account;

- (c) a financial institution, on a confidential basis and solely in connection with the assignment of a right to receive payment, the provision of security or other financing arrangements; or
- (d) a government or regulatory agency, body, institution or office, where such disclosure is permitted or required in order for ESA to comply with legal, statutory or regulatory requirements or provisions applicable to ESA;
- (e) a person who, in the reasonable judgment of ESA, is providing or seeking the information as your agent;
- (f) any other third party or parties, where you consent to such disclosure or where disclosure is required or permitted by law.

### **Where do we Store Your Personal Information?**

Your Personal Information is stored in secured locations and on servers controlled by ESA or ESA service providers. These servers are located at our offices or at the offices of our service providers. ESA retains your Personal Information only for as long as is necessary in order to fulfill the purposes identified within this Privacy Policy or for as long as may be required to comply with applicable laws.

### **How do we Protect your Personal Information?**

To help protect the confidentiality and security of your Personal Information, ESA employs administrative and technological safeguards appropriate to the sensitivity of your Personal Information. Security measures, such as locked cabinets, restricted access, data networks protected by industry standard firewall, encryption and password protection systems have been adopted to protect your personal information against loss of theft, as well as unauthorized access, disclosure, copying, use or modification. Our employees have been trained to respect your privacy at all times, and those employees with access to your personal information shall use your personal information in accordance with the ESA Privacy Policy and the laws applicable to each specific business. If your Personal Information is sent to a third party for processing, we make sure, through our contracts with such third parties, that all of your Personal Information is kept secure. Your Personal Information is kept as accurate, complete and up-to-date as is necessary to fulfill the purposes identified in this Privacy Policy. We do not routinely update your Personal Information.

### **Privacy and our Website**

Personal Information may be collected when a user conducts activities on or related to all websites of ESA. Although information collected, used or disclosed on the Internet as described below may not constitute Personal Information. To the extent that such is the case, then the obligations under the ESA Privacy Policy do not extend to such information.

- (a) Internet Protocol Address (IP Address) - When the user's web browser requests a web page from another computer on the Internet, it automatically gives that computer the address where it should send the information. This address is called the computer's "IP address." For most users accessing the Internet from a dial-up Internet service provider (ISP), the IP address will be different every time the user logs on.

ESA may use the user's IP Address to:

- (i) facilitate the diagnosis and remedy of a technical problem reported by the user's or ESA's technical team.

- (ii) estimate user traffic from specific regions or organizations.
  
- (b) Cookies - When an individual visitor accesses the ESA website, we may use a browser feature called a 'cookie' to collect information such as the type of Internet browser and operating system the visitor uses, the domain name of the website from which the visitor came, date and duration of the visit, number of visits, average time spent on our website, pages viewed and number of cookies accumulated.
  
- (c) Online Communications - In order to provide our website visitors with a service or information, visitors may voluntarily submit Personal Information to us for purposes such as asking a question, obtaining information, reviewing or downloading a publication, participating in a seminar or other event, and participating in contests and surveys. If you are known to ESA as a registered user of an online service, we may combine and store Personal Information about your use of our website and the online information you have provided with certain other online and offline information we may have collected.
  
- (d) E-Mail Communications - Occasionally, we may send marketing or promotional e-mail communications to you with information that may be useful, including information about the services of ESA and other third parties with whom we have a relationship.
  
- (e) Links - Our website may contain links to other websites which are provided as a convenience only. Visitors are advised that other third party websites may have different privacy policies and practices than ESA. ESA accepts no responsibility for the information provided to third party websites or the content of such websites.

### **How can you Obtain Access to Your Personal Information?**

Upon your written request, and subject to certain exceptions, ESA will inform you of the existence, use, and disclosure of your Personal Information and will give you access to that information. Access requests should be sent to ESA's Chief Privacy Officer using the contact information outlined below.

If access to your personal information is denied, ESA will notify you in writing, give reasons for the denial, and inform you of the recourses open to you. If access is granted, ESA will give you a reasonable opportunity to review your Personal Information. Your Personal Information will be provided to you in an understandable form within a reasonable time, generally within 30 days. ESA may extend such 30 day period by up to an additional 30 days if meeting the time limit would unreasonably interfere with the activities of ESA or the time required to undertake any consultations necessary to respond to your request would make the time limit impracticable to meet. You will be able to challenge the accuracy and completeness of your Personal Information and have it amended as appropriate.

### **How can you Obtain Further Information Regarding this Policy?**

ESA has appointed a Chief Privacy Officer to oversee compliance with this Privacy Policy and applicable privacy laws. For more information on ESA's privacy practices, please visit our website or contact our Chief Privacy Officer at:

Christopher M. Jodhan  
155A Matheson Blvd. W., Suite 202  
Mississauga, Ontario  
L5R 3L5  
Office: (905) 712-5696  
Fax: (905) 507-4712  
E-mail: christopher.jodhan@electricalsafety.on.ca

### **Changes to our Privacy Policy**

ESA reserves the right to modify or supplement this Privacy Policy at any time. If we make a change to this Privacy Policy, we will post such changes on our website at [www.esasafe.com](http://www.esasafe.com), and make such revised policy and changes available upon request to the ESA Chief Privacy Officer. However, ESA will obtain the necessary consents required under applicable privacy laws if it seeks to collect, use or disclose your Personal Information for purposes other than those for which your consent is obtained unless otherwise required or permitted by law.