

# JazzHR Privacy Policy

Welcome to the JazzHR Privacy Policy (“**Privacy Policy**”). We take the security of your information seriously, and work hard to maintain secure websites and services for your use. Hireku, Inc. (d/b/a JazzHR), together with its affiliates (collectively, “**JazzHR**”, “**we**”, “**us**”), is a global organization offering an applicant tracking system and recruiting software platform and tools used by enterprises to manage certain human capital management functions of their organizations. This Privacy Policy is intended to better help you understand our practices regarding information collected through our websites, our products and services, and any other digital properties that we own or control

(collectively, the “**JazzHR Services**” or “**Services**”) whether you are a customer that uses JazzHR Services, an end user of our customers’ services that utilize our technology solutions, or whether you are simply visiting this website.

**When you interact with the JazzHR Services, you consent to such collection, use and sharing of information as described in this Privacy Policy and our Terms of Service. If you do not consent to the terms of this Privacy Policy and our Terms of Service, do not continue to interact with or use the JazzHR Services.**

EUROPEAN RESIDENTS: Please see our [European Privacy Policy](#) for residents of the European Union, the European Economic Area or Switzerland.

## 1. INFORMATION WE MAY COLLECT

The JazzHR Services gather certain information automatically, some of which may be considered personal information under applicable law. Access our data processing addendum [here](#).

We may collect, among other things, the following types of information:

- ▲ Name
- ▲ Address (including billing and shipping address)
- ▲ Telephone number
- ▲ Email address
- ▲ Fax number

- ▶ Professional information, such as employer or organizational affiliation for a customer or partner
- ▶ Payment or financial information for billing purposes
- ▶ Screen name
- ▶ Screen sharing views, at the request of customers, for support and quality assurance (“QA”) purposes
- ▶ Any data in any files uploaded, emailed or otherwise provided by customers for support and QA
- ▶ Operating system type and version, web server type and version, database type and version
- ▶ Unique IDs such as a cookie placed on a computer or mobile device, or device IDs
- ▶ IP address or MAC address, and information derived from an IP or MAC address, such as geographic location
- ▶ Browsing activities, cookies and similar data, and platform or mobile application use data
- ▶ Referring domain, destination domain and destination path
- ▶ Geolocational data, including latitudinal and longitudinal data
- ▶ User IDs and passwords for customers with accounts on the JazzHR Services
- ▶ Information about the performance, security, software configuration and availability of our software on your servers and network
- ▶ Website user statistics and website and portal use and viewing activity records
- ▶ Communication preferences
- ▶ Other similar information

We may also collect information, including personal information, in the following situations:

- ▶ **Registration, purchase and use of the JazzHR Services:** Information such as name, email address, telephone number, company/organization, financial information, and other information, may be collected in connection with registration for, purchase of or use of the JazzHR Services (for example, to sign-up for and log into the JazzHR Services). Customers may update their information by logging into their account. Information may also be collected to track license use.
- ▶ **Communications:** Personal information such as name, email address, and other information, may be collected, when provided in any communications, whether via email, social media, telephone or otherwise.

- ▶ **Support:** Personal information may be collected in connection with customer support, whether via screensharing, email, social media, telephone or otherwise.
- ▶ **Surveys and Research:** We may collect personal information from anyone participating in research and surveys.
- ▶ **User Comments and Content:** If you post any comments or content on our website, you should be aware that any personally identifiable information you choose to provide there may be read, collected, or used by third parties. We are not responsible for the information you choose to submit and we cannot guarantee that third parties have not made copies of or will not use such information in any way.

**Customer-formulated inquiries:** Certain functionality included in our solutions allows our customers to formulate questions to job applicants accessing our solutions. We do not control either the content or use of those questions or the applicant responses.

## 2. USE OF INFORMATION

JazzHR Services may use the information, including personal information, collected in connection with the JazzHR Services for the purpose of providing the Services to our customers, as well as for supporting our business functions, such as fraud prevention, marketing, analytics and legal functions, and other legitimate purposes.

To the extent permitted by applicable law and, for customer data, as permitted by our customer agreements, we may use information collected in connection with our Services:

- ▶ To operate the JazzHR Services and provide support.
- ▶ To fulfill customer requests, such as to create a JazzHR Services account or complete customer purchases.
- ▶ To communicate with our customers; to inform customers and users of products, programs, services and promotions.
- ▶ To send customers information regarding the JazzHR Services and issues specifically affecting JazzHR Services.
- ▶ To respond to reviews, comments, or other feedback provided to us.
- ▶ To support and personalize our Services, websites, mobile services, and advertising.
- ▶ In the case of server logs, to help us statistically monitor how many people are using our site and for what purpose.

- To protect the security and integrity of our Services, content, and our business.
- To provide support
- For benchmarking, data analysis, audits, developing new products, enhancing the JazzHR Services, facilitating product, software and applications development, improving our services, conducting research, analysis, studies or surveys, identifying usage trends, as well as for other analytics purposes.
- To meet our contractual requirements, to comply with applicable legal or regulatory requirements and our policies, and to protect against criminal activity, claims and other liabilities.
- For any other lawful purpose for which the information is provided.

**Aggregate Information.** To the extent permitted by applicable law, we may use, process, transfer, and store any data about individuals and customers or partners in an anonymous (or pseudonymous) and aggregated manner. We may combine personal information with other information, collected online and offline, including information from third party sources. We may also use information in other ways with consent or as permitted by applicable law. By using the JazzHR Services, our customers agree that we are hereby licensed to collect, use, share and store anonymized (or pseudonymized) aggregated data collected through the JazzHR Services for benchmarking, analytics, A/B testing, metrics, research, reporting, machine learning and other business purposes.

**Automated Decisions.** To the extent permitted by applicable law, we may collect data in an automated manner and make automated decisions, including using machine learning algorithms, about individual users of the JazzHR Services in order to provide or optimize the JazzHR Services offered and/or delivered, for security or analytics purposes, and for any other lawful purpose. In some cases, the automated decision-making is used in connection with responses to inquiries that are formulated by our customers; although certain of those inquiries may be necessary for the performance of the applicable customer's contract, we do not control either the content or use of those inquiries or the applicant responses.

### 3. SHARING OF INFORMATION

To the extent permitted by applicable law, JazzHR may share and disclose information, including personal information, as set forth below:

- ▶ **Customers.** We may share information with our customers and their service providers and other platforms that may assist those customers.
- ▶ **Affiliates and Agents.** We may share information with our affiliates or any business partners or agents acting on our behalf.
- ▶ **Service Providers.** We may share information with our service providers, agents, vendors and other third parties we use to support and advertise the JazzHR Services and our business. We share personal information with such third parties to the extent necessary to provide services to us, and pursuant to binding contractual obligations.
- ▶ **Advertising and Marketing.** To the extent permitted by applicable law, we may share information with third parties for marketing, advertising, promotions, contests, or other similar purposes. If required by applicable law, we will share such data for advertising and marketing purposes only in an aggregate, anonymous, and de-identified manner.
- ▶ **Mergers, Acquisitions, Divestitures.** We may share, disclose or transfer information to a buyer, investor, new affiliate, or other successor in the event JazzHR, or any affiliate, portion, group or business unit thereof, undergoes a business transition, such as a merger, acquisition, joint venture, consolidation, reorganization, divestiture, liquidation or dissolution (including bankruptcy), or a sale or other transfer of all or a portion of any assets of JazzHR or any affiliates or during steps in contemplation of such activities (e.g., negotiations and due diligence).
- ▶ **Law Enforcement and National Security.** We may share information with legal, governmental, or judicial authorities, as instructed or required by those authorities or applicable laws, or to comply with any law or directive, judicial or administrative order, legal process or investigation, warrant, subpoena, government request, regulatory request, law enforcement or national security investigation, or as otherwise required or authorized by law.
- ▶ **Protection of Rights, Property or Safety.** We may also share information if, in our sole discretion, we believe disclosure is necessary or appropriate to protect the rights, property or safety of any person, or if we suspect fraud or other illegal activity,

JazzHR may also disclose personal information for other purposes or to other third parties when an individual has consented to, or requested, such disclosure, or where a customer has obtained permission from such individual, or where such disclosure is otherwise legally permitted for legitimate business purposes, and, for customer data, with such customer's authorization or otherwise in accordance with JazzHR' agreement with such customer.

## 4. COOKIES

We may use cookies and similar technologies to operate and improve the JazzHR Services, as well as to simplify our interaction with you. A “cookie” is a unique numeric code that we transfer to your computer so that we can keep track of your interests and/or preferences and recognize you as a return visitor to the Services. We may use cookies, log files, pixel tags, web bugs, web beacons, clear GIFs, Local Storage Objects (LSOs) such as HTML5 and Flash or other similar technologies to collect information about the ways you interact with and use the JazzHR Services, to support and enhance features and functionality, to monitor performance, to personalize content and experiences, for marketing and analytics, and for other lawful purposes.

We may use the following types of cookies and similar technologies:

- **Strictly necessary cookies** required for the operation of the JazzHR Services. They include, for example, cookies that enable you to log into secure areas.
- **Analytical/performance cookies** that collect information about how you use the JazzHR Services. They allow us to recognize and count the number of visitors and to see how visitors move around our website. This helps us to improve the way our website works. [These cookies are sometimes placed by third party providers of web traffic analysis services.]
- **Functionality cookies** that remember choices you make and recognize you when you return. This enables us to personalize our content, greet you by name and remember your preferences (for example, your choice of language or region).
- **Targeting cookies** that collect information about your browsing habits such as the pages you have visited and the links you have followed. We use this information to make our website more relevant to your interests, and, if we enable advertising, to make advertising more relevant to you, as well as to limit the number of times you see an ad. These cookies are usually placed by third-party advertising networks. [They remember the other websites that you visit and this information is shared with third-party organizations, for example, advertisers.]

Most internet browsers accept cookies by default. You can block cookies by activating the setting on your browser that allows you to reject all or some cookies. The help and support area on your internet browser should have instructions on how to block or delete cookies. Some web browsers (including some mobile web browsers) provide settings that allow you to control or reject cookies or to alert you to when a cookie is placed on your

computer, tablet or mobile device. Although you are not required to accept cookies, if you block or reject them, you may not have access to all of the features available through the JazzHR Services.

For more information, visit the help page for your web browser or see <https://www.allaboutcookies.org> or visit [www.youronlinechoices.com](http://www.youronlinechoices.com) which has further information about behavioral advertising and online privacy.

We may use third party analytics such as Google Analytics or similar analytics services. For information on how Google processes and collects your information regarding Google Analytics and how you can opt-out, please see <https://tools.google.com/dlpage/gaoptout>

## **5. DATA RETENTION**

To the extent permitted by applicable law, we may retain information for as long as the account of the customer for whom we collected the information is active, for at least six (6) months thereafter, or as long as is reasonably necessary to provide the JazzHR Services or as needed for other lawful purposes. We may retain cached or archived copies of information. We may retain anonymized or pseudonymized, aggregated data indefinitely, to the extent permitted under applicable law. We may be required to retain some data for a longer period of time because of various laws and regulations or because of contractual obligations. We also will retain information as long as reasonably necessary to comply with our legal obligations, resolve disputes and enforce our agreements.

## **6. CHOICES AND OPT-OUT**

To the extent required by applicable law, or in our discretion otherwise, we will allow customers and individuals to limit use of personal information. If at any time after providing us with your personal information such information changes or you change your mind about receiving information from us, you may request access to your data or that your data be changed.



If you no longer wish to receive our communications, you may opt-out of receiving them at any time by following the instructions included in each communication, by going to our Unsubscribe page at [info.jazzhr.com/UnsubscribePage.html](http://info.jazzhr.com/UnsubscribePage.html), or by mail at Hireku, Inc. (d/b/a JazzHR), 610 Lincoln St., #205, Waltham, MA 02451; Attn: Email Unsubscribe Request.

## **7. CROSS-DEVICE TRACKING**

When you use your mobile device to interact with us or use the JazzHR Services, we may receive information about your mobile device, including a unique identifier for your device. We and our service providers and third parties we collaborate with, including ad networks, may use cross-device/cross-context tracking. For example, you might use multiple browsers on a single device, or use various devices (such as desktops, smartphones, and tablets), which can result in your having multiple accounts or profiles across these various contexts and devices. Cross-device/cross-context technology may be used to connect these various accounts or profiles and the corresponding data from the different contexts and devices.

## **8. EMPLOYMENT OPPORTUNITIES**

We provide you with a means for submitting your resume or other personal information through our website or Services for consideration for employment opportunities at JazzHR. Personal information received through resume submissions will be kept confidential. We may contact you for additional information to supplement your resume, and we may use your personal information within JazzHR, or keep it on file for future use, as we make our hiring decisions.

## **9. THIRD PARTY SITES**

The JazzHR Services may provide links to other websites or resources over which JazzHR does not have control (“External Web Sites”). Such links do not constitute an endorsement by JazzHR of those External Web Sites. You acknowledge that JazzHR is providing these links to you only as a convenience, and further agree that JazzHR is not responsible for the content of such External Web Sites. Your use of External Web Sites is subject to the terms of use and privacy policies located on the applicable External Web

Site. We encourage you to be aware when leaving our Services and to read the privacy statements of External Web Sites that collect your personal information.

## **10. SECURITY**

To prevent unauthorized access or disclosure, to maintain data accuracy, and to ensure the appropriate use of personal information, we employ procedural and technological measures that are reasonably designed to help safeguard the information we collect. Only authorized JazzHR personnel have access to the personal information, including server logs and cookie utilization data, that we collect. These individuals are required to follow strict security policies and procedures. JazzHR may use encryption, secure socket layer, firewall, password protection and other physical and logical security measures to help prevent unauthorized access to such. JazzHR may also place internal restrictions on who in the company may access data to help prevent unauthorized access to such information.

Unfortunately, no data transmission over the Internet or data storage system can be guaranteed to be 100% secure. Therefore, despite our efforts, we cannot guarantee its absolute security. We do not warrant or represent that personal information about you will be protected against, loss, misuse, or alteration by third parties.

If you use the Services, you are responsible for maintaining the confidentiality of your access information and password. You are responsible for restricting access to your computer, and you agree to accept responsibility for all activities that occur under your password. We cannot secure any personal information that you release on your own, that you request us to release or that is released through another third party to whom you've given access.

Where required under applicable law or by contract, we will notify the appropriate parties or individuals of any loss, misuse or alteration of personal information so that such parties or individuals can take the appropriate actions for the due protection of their rights. If such personal information is information of a JazzHR customer, we will notify such customer and coordinate with them regarding any required notices to particular individuals.

## **11. CHILDREN**

We recognize the importance of protecting the privacy and safety of children. The JazzHR Services are not intended for children under 13 years of age – and for European residents, for children under 16 years of age – see our [European Privacy Policy](#). We do not knowingly collect personal information from children under 13. Anyone under 13 should not use the JazzHR Services. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us as set forth below.

## **12. INTERNATIONAL DATA TRANSFERS**

The JazzHR Services may be provided using resources and servers located in various countries around the world, including the United States and other countries. Therefore, personal information about individuals or customers may be transferred, processed and stored outside the country where the JazzHR Services are used, including to countries outside the European Union (“EU”), European Economic Area (“EEA”) or Switzerland, where the level of data protection may not be deemed adequate by the European Commission.

## **13. CALIFORNIA PRIVACY RIGHTS**

Under California’s “Shine the Light” law, California residents who provide personal information in obtaining products or services for personal, family or household use may be entitled to request and obtain from us, once per calendar year, information about customer information we have shared, if any, with other businesses for such other businesses’ own direct marketing uses. If applicable, this information would include the categories of resident information and the names and addresses of those businesses with which we shared such resident information for the immediately prior calendar year. To obtain this information, please contact us as indicated below. Please include sufficient personal identification information so that we can process the request, including that you are a California resident.

## **14. QUESTIONS, COMPLAINTS AND DISPUTES**

If you have any questions about this Privacy Policy, or our collection, use, sharing or storage of information about you, you can contact us by email at [privacy@jazzhr.com](mailto:privacy@jazzhr.com), or write to the following address:

Attn: Privacy Inquiry  
Hireku, Inc. (d/b/a JazzHR)  
610 Lincoln St #205  
Waltham, MA 02451  
Phone: +1 (888) 353-0887

**CLASS ACTION WAIVER. YOU AND WE AGREE THAT EACH MAY BRING CLAIMS AGAINST THE OTHER ONLY IN YOUR OR OUR INDIVIDUAL CAPACITY AND NOT AS A PLAINTIFF OR CLASS MEMBER IN ANY PURPORTED CLASS OR REPRESENTATIVE PROCEEDING.**

## **15. PRIVACY POLICY UPDATES**

JazzHR may update this Privacy Policy from time to time in our sole discretion to reflect changes to our information and privacy practices. JazzHR will post any updated Privacy Policy on this page at <https://www.jazzhr.com/privacy-policy> or in the JazzHR Services, or with any notice to individual users if required by applicable law. Continued use of the JazzHR Services after any such modifications constitutes acceptance to any such modified Privacy Policy. JazzHR encourages you to review this Privacy Policy regularly for any changes. The date of last revision is shown at the “*Last Updated*” legend at the top of this page.

If you have any questions regarding our Privacy Policy, the practices of this site, or your dealings with us, please feel free to email us at [privacy@jazzhr.com](mailto:privacy@jazzhr.com).

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