

## **MICHEL GAGNON CONSTRUCTION**

Michel Gagnon Construction (« **MG Construction** », « **us** » or « **we**») are committed to protecting the personal information we collect in the course of our business. This privacy policy (the "**Policy**") describes in clear and simple terms how we respect our obligations to protect personal information, and more specifically our practices regarding the collection, use, disclosure, retention and destruction of your personal information. Our Privacy Officer, whose full contact details can be found in Section 9, is responsible for ensuring compliance with and implementation of the Policy.

To ensure the implementation of the Policy, please be assured that we deployed internal practices concerning the management of your personal information. These practices include, for example, guidelines concerning :

- The security of your personal information;
- Management and prevention of confidentiality incidents;
- Conducting privacy impact assessments;
- Retaining your information throughout its life cycle.

Our commitment to you is clear:

- Be concise, clear and transparent;
- Obtain your consent when required;
- Allow you to exercise your rights regarding your personal information;
- Protect the confidentiality of your personal information.

Our Policy has been developed in compliance with applicable privacy legislation, including the *Personal Information Protection and Electronic Documents Act*, S.C. 2000, c. 5, the *Act respecting the protection of personal information in the private sector*, RLRQ, c. P-39.1 and other similar provincial legislation.

### **1. TO WHOM DOES OUR POLICY APPLY?**

The Policy applies to personal information collected in the performance of our activities, including personal information we collect in respect of our employees and any applicants for employment with us. It applies to personal information collected when you visit our Web site, when you contact us by any other means of communication or when you visit our offices. The Policy therefore applies to, for example:

- Our current employees and applicants for employment with us;
- Our past, present and future clients who are natural persons;

- Employees and other natural persons of our past, present and future clients who are organizations;
- All users of our Web site;
- All other persons who contact us.

However, please be aware that you remain responsible for protecting your personal information when you visit other third-party Web sites. Our Policy does not apply to the collection, use, disclosure or retention of your personal information by other Web sites, even though certain links on our Web site may allow you to access the content of other third parties. We are not responsible for their privacy policies, and we encourage you to read any privacy notices or policies governing such third parties.

When you are acting on behalf of an organization in your interactions with us, for the sake of brevity we use the terms "you" and "your" to refer to you and your organization.

## **2. WHAT PERSONAL INFORMATION DO WE COLLECT AND FOR WHAT PURPOSES?**

Personal information means any information concerning a natural person that allows that person to be identified directly or indirectly, whether taken separately or in combination with other information. For greater clarity, personal information is any information that makes it possible to identify a natural person :

- directly, such as a photocopy of government identification or a social insurance number;  
or
- indirectly, by combining several specific elements, for example, a position held in the organization with the number of years of service and the level of education.

Please be aware that we only collect personal information that is necessary for our business purposes, such as providing you with our services or managing your employment relationship with us. Below are the categories of personal information we collect and examples of each category. This information is all collected for a specific purpose, as detailed below.

Except as provided by law, if we need to use your personal information for purposes other than those identified in the Policy, we will obtain your consent before using that information.

We collect your personal information, to the extent permitted by law, in order to :

### *EMPLOYMENT*

## 2.1 Manage our employment relationship with you

Throughout your relationship with us, we will process your personal information to properly manage the employment relationship and your employment contract in accordance with our contractual obligations, our business needs or your needs as an employee. As such, this may include the following activities:

- Managing payroll;
- Conduct performance evaluation;
- Administer benefit and pension plans;
- Terminate employment contracts;
- Monitor, document and address compliance with our policies or procedures, any relevant contracts and/or applicable laws; and develop, enhance and maintain our learning and development programs;
- Deduct and remit union dues.

For example, we may collect your bank details for payroll purposes, or the emergency contact details of a family member in the event of an accident. We may also collect information relating to your qualifications and training certificates, for example.

Following the end of your employment, we use some of your information to meet our legal obligations (for example, those relating to taxation or to the *Commission des normes de l'équité, de la santé et de la sécurité au travail*) and to be able to determine, for example, whether our relationship has ended satisfactorily in order to know whether it is appropriate to rehire you, if applicable.

## 2.2 Comply with our internal programs and policies

We have several programs and policies in place, including those relating to the well-being of our employees, the recruitment of new talent, the acceptable use of information technology, the management of remote working and diversity and inclusion. To implement and manage these programs and policies and to ensure that they are applied and improved, we use some of your personal information, such as your salary, your job type and your sex or gender.

## 2.3 Recruit new candidates

When you apply for a job with us or when you contact us or one of our representatives in a recruitment context, we collect the personal information required to answer your questions or assess your application, for example. We may :

- Conduct pre-employment checks (conflict of interest checks, criminal record checks, reference checks, etc.);
- Ask you about your salary expectations and expected working conditions.

We collect, for example, information relating to your training and education, your employment history, the information you have disclosed to us in your curriculum vitae, and any other information required under legislation applicable to the construction industry.

#### 2.4 Meet our legal and regulatory obligations

In operating our business, we must comply with certain legal and regulatory obligations, particularly those applicable in the construction sector. We are therefore obliged to collect your information to, for example:

- Comply with the *Income Tax Act*,
- Defend ourselves in the event of legal claims or demands;
- Comply with our health and safety obligations.

For example, we need to collect our employees' social insurance numbers, which are required for tax purposes.

#### *IN ANY OTHER CONTEXT*

#### 2.5 Identify or authenticate you

When we wish to register you as a new client, we require certain information to identify you. This information will be used, for example, to find your file and to ensure that your information is associated with your account when you communicate with us.

To this end, we mainly collect identity and contact information, such as your first and last name, e-mail address and telephone number. If you are acting on behalf of an organization, we collect not only information relating to your organization, which is not covered by this policy, but also certain information relating to contacts within your organization, which is personal information covered by this policy.

#### 2.6 Provide you with our services

When you do business with us, it is necessary for us to process some of your information to advise you appropriately according to your needs, to answer any questions you may have, to handle your complaints and to assist you in all your dealings.

To achieve this purpose, we mainly collect information relating to your needs, your business or information relating to the billing of our services.

#### 2.7 Contact you

As part of our business relationship with you, we may need to contact you from time to time, for example, to inform you of important changes to our services or changes to our Terms and Conditions or Privacy Policy **[Note BCF : Ajouter les hyperliens pertinents]**.

To do so, we primarily collect and use information relating to your identity and contact details.

## 2.8 Meet our legal and regulatory obligations

In operating our business, we must comply with certain legal and regulatory obligations. We are therefore obliged to collect your information to comply with certain tax requirements, for example.

### 3. HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

Most of the time, we collect your personal information directly from you (by telephone, through our representatives or when you visit our offices, for example). There are, however, situations where we may collect your personal information from other sources, with your consent or as required by law:

- From other third parties to help us serve or protect you, for example:
  - Other entities affiliated with our group;
  - Our business partners;
  - Credit bureaus;
  - Your former employer.
- On public registers, for example :
  - Civil and criminal dockets.

### 4. HOW DO WE PROTECT YOUR PERSONAL INFORMATION?

We are committed to protecting personal information in our possession in accordance with industry standards. To this end, we implement reasonable security measures to protect your personal information against loss, theft, unauthorized access, disclosure and unauthorized use. Our security measures are adapted to the amount and sensitivity of your personal information.

TYPES OF SAFETY MEASURES	EXAMPLES
Technical measures	<ul style="list-style-type: none"><li>• Use of strong internal password;</li><li>• Two-factor authentication;</li><li>• Data encryption;</li><li>• Access logging;</li><li>• Data Loss Prevention tool (DLP);</li><li>• Encryption at rest;</li><li>• Depersonalization.</li></ul>

Administrative measures	<ul style="list-style-type: none"> <li>• Access management on a need-to-know basis;</li> <li>• Internal policies and training on the protection of personal information;</li> <li>• Our employees are bound by confidentiality undertakings that survive the end of their employment.</li> </ul>
Material measures	<ul style="list-style-type: none"> <li>• Locking of filing cabinets;</li> <li>• Limited office access;</li> <li>• Surveillance cameras.</li> </ul>

Please note, however, that the transmission of personal information over the Internet is never completely secure. While we take every precaution to protect your personal information, we cannot guarantee the security of personal information transmitted over the Internet. You choose to transmit information over the Internet at your own risk. If you wish to transmit sensitive information to us, please contact us before doing so that we can offer you a secure transmission channel.

If you believe that your personal information has been compromised, or if you have any concerns in this regard, we invite you to contact our Privacy Officer at the contact information provided in Section 9.

## **5. TO WHOM MAY WE DISCLOSE YOUR PERSONAL INFORMATION?**

Within our business, access to your personal information is limited to those employees who require access to perform their duties. These employees are made aware of the need to protect personal information, and policies are in place to ensure this protection.

However, we may disclose some of your personal information outside our organization. Rest assured that we require any third parties to whom we disclose your personal information to comply with the standards required by law, as well as with the security measures necessary to protect your personal information. We never sell your personal information, and only disclose it where required by law or with your consent.

### **5.1 To our service providers and partners**

To carry out certain purposes described in the Policy, we do business with service providers to whom we may communicate or give access to your personal information when necessary for the performance of their service contract.

However, please be assured that we establish written contracts with our service providers in order to :

- Guarantee the confidentiality of your personal information;
- To ensure that the information is used only for the performance of the contract;

- Ensure that the service provider does not retain any personal information when it is no longer required for the performance of the service, except that personal information contained in backup systems will be deleted according to the deletion cycle predetermined by the service provider;
- To ensure that the service provider communicates with us immediately in the event of a confidentiality incident or any attempt to do so.

The categories of service providers with whom we do business include the following:

- IT and technical services;
- Payroll processing systems;
- Accounting firms;
- Law firms;
- Printing services;
- Security and surveillance camera services;
- Mail delivery service;
- Application developers;
- Cloud hosting services;
- Credit bureaus.

## 5.2 To our various legal entities within the same group

We may disclose some of your personal information to other legal entities within our group when necessary to comply with our legal and regulatory obligations described in Section 2.5 and to provide you with our services.

Some of our business operations are handled by other entities within our corporate group. The same protection measures as those indicated in this Policy are implemented within these entities.

## 5.3 To courts, law enforcement authorities, regulators, government officials or prosecutors

More specifically, we may disclose your personal information to comply with a search warrant, to respond to an investigative body, to comply with a court order, if we believe that disclosure is necessary to comply with applicable laws, if required by law, in connection with the exercise of a legal claim or to assert a defence.

#### 5.4 To other third parties

We may need to disclose your personal information to other third parties in certain specific circumstances, always to the extent permitted by law or after obtaining your consent, for example:

- As part of a business transaction (a merger, an acquisition by another company, obtaining a loan or financing, for example);
- In the event of insolvency or bankruptcy;
- To credit bureaus;
- To clients e.g. institutions, as part of security accreditation and access procedures.

#### **6. CAN YOUR PERSONAL INFORMATION BE COMMUNICATED OR STORED OUTSIDE QUEBEC OR CANADA?**

Yes, the service providers with whom we do business and other third parties to whom we disclose your personal information may operate outside Quebec and Canada.

If we disclose your personal information outside Quebec or Canada, we ensure that your personal information is handled securely and in accordance with this Policy and that a written agreement exists with the third party regarding the handling of your personal information. In addition, prior to disclosing your personal information outside Quebec, we conduct a privacy impact assessment to evaluate, among other things, the risks inherent in the disclosure as well as the applicable legal regime of the state where your information would be disclosed.

#### **7. HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION?**

The personal information we collect is retained only as long as necessary to fulfill the purposes set out in Section 2 of the Policy and to comply with our legal and regulatory obligations. We have implemented internal procedures and policies to ensure that your personal information is subject to a specified retention schedule and is destroyed in a secure manner.

If you have any questions regarding the retention of your personal information, please contact our Privacy Officer using the contact information provided in Section 9.

As mentioned in the previous section, your personal information may be stored outside Quebec and Canada. We assure you that the place where your personal information is stored does not affect its protection and security. Please refer to Section 4 for further details.

#### **8. WHAT ARE YOUR RIGHTS REGARDING YOUR PERSONAL INFORMATION?**

##### 8.1 Access to your personal information

Subject to the exceptions provided by law, you have the right to request a copy of, or access to, the personal information we hold about you. You may exercise your right of access by contacting our Privacy Officer at the contact information provided in Section 9. Please also note that :



- Access to your personal information is free of charge. However, in certain circumstances, notably if the request is excessive or unfounded, we may charge you an administration fee for transcribing, reproducing, transmitting or requesting additional copies of your personal information. We will inform you of any such charges before proceeding with your request;
- We generally respond to all requests for access within 30 days of receiving all necessary information. If we are unable to grant access, or if additional time is required to fulfill a request, we will notify you in writing.

## 8.2 Rectification of your personal information

If you consider that your personal information is inaccurate or incomplete, you may rectify it by contacting our Privacy Officer at the contact details provided in Section 9. It is your responsibility to inform us of any changes to your personal information so that we can ensure that we keep your personal information up to date.

## 8.3 Obtaining information about the processing of your personal information

You have the right to obtain additional information relating to the processing of your personal information. If you cannot find the answer to your questions in the Policy, you can contact our Privacy Officer using the contact details provided in Section 9.

## 8.4 Being informed if you are the subject of a decision based exclusively on automated process

If we use your personal information to make a decision based exclusively on automated process, we will notify you no later than the time we inform you of the decision. In such cases, you also have the right, upon request :

- to be informed of the information used to make the decision;
- the reasons as well as the main factors and parameters that led to the decision; and
- to have the personal information used to make the decision rectified;
- to present your observations to a member of our team who will be able to review the decision if necessary.

You may exercise this right by contacting our Privacy Officer at the contact information provided in Section 9.

## 8.5 Withdrawing your consent

When you give your consent for secondary purposes, i.e. purposes that are not essential to providing you with our services, you may withdraw your consent at any time without consequence.

However, if you refuse to provide us with personal information that is necessary for the provision of our services or required by law, we may no longer be able to provide you with some of our

services. In this case, we may have to cancel our commitment to you. You will, however, be informed of the occurrence of such a situation.

#### 8.6 Dissatisfaction with our handling of your personal information

If you have any questions, concerns or dissatisfaction regarding this Policy or the management of your personal information, you may contact our Privacy Officer at the contact information provided in Section 9.

### **9. HOW TO CONTACT OUR PRIVACY OFFICER?**

The protection of your personal information is important to us. We have appointed a Privacy Officer who is responsible for ensuring compliance with applicable privacy legislation. You can reach him or her using the following contact details:

Privacy Officer  
2250 Léon-Harmel Street, Suite 200  
Quebec City, Quebec, G1N 4L2  
Phone: 418-687-3824  
protection-rp@mgconstruction.ca

### **10. POLICY UPDATE**

This Policy takes effect on the date mentioned at the top of the page and replaces all previous versions. The history of previous versions of the Policy may be obtained by request to our Privacy Officer.

The Policy may be updated at our sole discretion to reflect changes in our practices and in privacy legislation. When the Policy is updated, the changes will be specifically brought to your attention and a notice will be available on the home page of our Web site. When changes are of a material nature or require your consent, we will notify you by e-mail if we have your e-mail address.