

Data Privacy Notice

Introduction

This privacy notice has been drafted to explain how Benchmark River and Rail Terminals, LLC (the “Company”) collects, uses, discloses, and protects information collected about you, and your rights with respect to that information. Please read this privacy notice carefully to understand our policies and practices regarding your information and how we will treat it.

What is “Personal Information”?

Personal Information means any information that is related to an identified or identifiable person. This information can be your name, your email address, your contact information, and anything else that tells someone something about you. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact us from the Contact Information section.

Information We Collect About You and How We Collect It

We collect several types of Personal Information from and about users of our website and applicants for employment, including:

- Personal Identification Data includes your first name and last name, email address, your address, phone number, Internet Protocol (IP) address, and similar identifiers.
- Employment Related Data includes information about your business, your title, and other resume information.
- Communication Data includes your communications you send us and your feedback that you communicate to us via email or social media.
- Technical Information includes IP address, your browser type and version, operating system and platform, and other technology on the devices you use to access our website and services.
- Video and Audio Information includes your likeness if you pass through secured areas in our facilities where we use CCTV.

How we collect this information:

- Directly from you when you provide it to us.
- Automatically as you navigate through our website. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons, and other tracking technologies.
- From CCTV footage when you visit secured areas in our facilities.
- From third parties, for example, LinkedIn, Phenom People, Indeed, and Workday.

We may also collect, use and share aggregated data such as statistical or demographic data for any purpose (“Aggregated Data”). Aggregated Data could be derived from your Personal Information, but Aggregated Data is not considered Personal Information, as this data will not directly or

indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing our website and services. However, if we combine or connect Aggregated Data with your Personal Information so that it can directly or indirectly identify you, we treat the combined data as Personal Information which will be used in accordance with this privacy notice.

Reasons for Processing Your Personal Information

Your Personal Information is used by us for the purpose it was collected, such as responding to your inquiry. In some cases, Personal Information is required to perform certain functions. You may be asked to provide your Personal Information:

- Process your application for employment with us;
- Complete employee onboarding;
- Send you information regarding business services and offerings;
- Respond to questions or comments from you;
- Detect, prevent, and address technical issues;
- Complete internal analysis of information enabling us to monitor the usage of our website;
- Improve our website and services;
- Address legal issues, including (i) complying with our obligations to retain certain business records; (ii) establishing, exercising, or defending legal claims; (iii) complying with laws, regulations, court orders, or other legal processes; (iv) detecting and preventing fraud or intellectual property infringement claims, violations of our contracts or agreements, violations of law, or other misuses of our website or services; and (v) protecting our rights or property, or yours or others' health, safety, welfare, rights, or property; and
- Allow you to exercise your data privacy rights.

In addition, we may process your personal data for the following reasons:

- To carry out our obligations and enforce our rights.
- In any other way we may describe when you provide the information.
- For any other purpose with your express consent.

Disclosure of Your Information

We may disclose Personal Information that we collect or you provide as described in this privacy policy:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business, including without limitation Indeed and Workday.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of the Company's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar

proceeding, in which Personal Information held by the Company about our users and employees is among the assets transferred.

- To fulfill the purpose for which you provide it.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

Note: Mobile opt-in data will not be shared with third parties.

Cookies and Automatic Data Collection Technologies

Our website may use automatic data collection technologies to distinguish you from other users. It also allows us to improve our website by enabling us to:

- Estimate our audience size and usage patterns.
- Store your preferences, so we may customize our website according to your individual interests.
- Recognize you when you return to our website.

The technologies we use for this automatic data collection may include:

- Cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. For information about managing browser settings to refuse cookies, see Your Rights and Choices.
- Google Analytics . We use Google Analytics as a web analytics service. More information about how Google Analytics collects and processes data, and how you can opt-out and manage Google's access to your activity, can be found at:
<https://policies.google.com/technologies/partner-sites>.

Third Party Links

Our website includes links to other websites we do not control and whose privacy policies may differ from this privacy notice, such as the policies of Indeed and Workday. If you submit Personal Information to any of those sites, such information is subject to third party privacy statements. We strongly encourage you to carefully read the privacy statement of any website you visit.

Data Security

We have implemented appropriate and reasonable technical and organizational security measures designed to protect the security of any personal information we process. However, despite our safeguards and efforts to secure your information, no electronic transmission over the Internet or information storage technology can be guaranteed to be 100% secure, so we cannot promise or guarantee that hackers, cybercriminals, or other unauthorized third parties will not be able to defeat our security and improperly collect, access, steal, or modify your information. Although we will do our best to protect your personal information, transmission of personal information to and from our Services is at your own risk. You should only access the website and services within a secure environment.

Your Rights and Choices

Your rights may vary depending on where you are located.

- **Accessing, Updating, and Deleting Your Information.** You can contact us as set forth in the Contact Information section below to request access to, correction of, or deletion of Personal Information that you have provided to us. We may also ask you to verify your identity before we respond to your request. Depending on your request, we may not accommodate your request to change information if we believe the change would violate any law or legal requirement or negatively affect the information's accuracy.
- **Cookies and Automatic Data Collection Technologies.** You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. However, if you disable or refuse cookies, please note that some parts of these websites may become inaccessible or not function properly.
- **Indiana and Kentucky Consumers.** If you are a consumer of our services and a resident of Indiana or Kentucky, you have the following consumer rights:
 - Right to opt-out of targeted advertising, sale of Personal Information or profiling for automated decision purposes
 - Right to know about Personal Information collected or disclosed
 - Right to request deletion of your Personal Information
 - Right to request correction
 - Right to data portability

Indiana and Kentucky also require your consent to process sensitive Personal Information, but we do not collect any categories of sensitive Personal Information. For the specific details of the rights, please submit your consumer request to us at info@jrjnet.com. We will not discriminate against consumers who exercise their consumer rights.

We will attempt to respond to a verifiable consumer request within forty-five (45) days of receipt. If we require an additional forty-five (45) days to respond to your request, we will inform you of the reason and extension period in writing. If we decline to act regarding your consumer request, we will provide you the justification within forty-five (45) days after receipt of the request. You may appeal the decision by emailing us at info@jrjnet.com with your response to our justification and any supporting evidence. We will respond to your appeal within sixty (60) days of receipt to confirm any action we will or will not take based on your appeal. If we deny your appeal, we will provide a written justification for the denial, as well as the contact information for the Indiana Attorney General or Kentucky Attorney General for the option to appeal further and/or complain to the applicable Attorney General regarding our decision.

We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI website.

Residents of certain states may have additional Personal Information rights and choices.

Changes to Our Privacy Policy

Changes to our privacy policy will be posted on our website, along with information on any material changes. The Company reserves the right to update or modify this privacy notice any time and without prior notice. If material changes are made to this policy, we will notify impacted employees of such changes.

Contact Information

To ask questions or comment about this privacy policy and our privacy practices, contact us at:

Address: Benchmark River and Rail Terminals, LLC

11641 Mosteller Rd.

Cincinnati, OH 45241

Phone: 513-771-0820

Email: info@jrjet.com

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