**Privacy Policy**

***Effective Date: August 1, 2021***

This Privacy Policy covers 401(play), LLC’s (“401(play)”) policies on the collection, use, and disclosure of personal data/personally identifiable and other personal information (as defined by applicable law, including, but not limited to, the California Consumer Privacy Act of 2018, Civil Code sections 1798.100 et seq (“CCPA”)) (collectively referred to as “Personal Information”) in connection with visitors and authorized user’s use and/or access of 401(play).com (the “Site”) and related mobile application (collectively, the “Platform”) and the software and services made available through the Platform (collectively the “Services”).

***401(play) is a New Mexico corporation with offices in the United States. 401(play) collects Personal Data and processes, transfers and stores data within the United States.*** By optionally providing your Personal Information within the Platform, you consent to the collection, use and disclosure practices identified in this Privacy Policy.

1. **What Personal Information Is Collected?**

**Personal Information that you may provide to us through the Platform or otherwise includes:**

**Log-In Credentials/Account Data**. To utilize the 401(play) Platform, employee participants (“Participants”) will be prompted to create a username and password, and provide their name, phone number, email address, date of birth and other information you choose to input within their account profile.

**Dashboard/Profile Information**. The Platform and Services will enable Participants to input their travel preferences and to input contact information such as names and email addresses to enable Participants to invite and communicate with third party friends, co-workers, family, etc. to plan, budget and book planned vacations.

**Planned Trips**. The Platform enables Participants to reserve and purchase travel-related products and services through the Platform and will collect information about purchases and reservations placed through the Platform.

**Contact Information**. To the extent you opt to request information from 401(play) through the Site, such as name, phone, email, company information, etc., such information about you will be used to facilitate requested communications and to provide information to you about the Services. Your email may also be utilized to (i) provide information regarding our Services; and/or (ii) to communicate material changes to our Terms of Service and Privacy Policy.

**Linked PrePaid VFA Card Information.** Participants will be asked to provide their banking information to link their PrePaid VFA Cards to their bank accounts to enable optional direct deposits into their vacation funding accounts (“VFA”). The Prepaid VFA Card Issuer may request a Participant’s name, address, email, phone number, and other contact information for account set up, verification and auditing purposes. Banks may also require disclosure of a Participant’s social security number and date of birth for account verification purposes. Bank-related and social security information will be retained for a limited time period for purposes of linking a Participant’s VFA with their designated bank and will be deleted within a reasonable time period once that link has been established.

**Travel Profile.**  Participants may optionally input additional information such as their driver’s license (for car rental), passport and global entry identification (for international travel), and other travel related preferences within the Participant’s Platform-dashboard to facilitate reservations and purchase of travel related products and services.

**IP Address**. A user’s “IP Address” is identified and logged automatically in our server log files whenever you visit the Site, along with the time of the visit and the page(s) that were visited. 401(play) uses IP Addresses for calculating usage levels of the Site, helping diagnose server problems, and administering the Site and Services.

**Cookies:** A cookie is a small data file that a website transfers to your computer's hard drive. We may place cookies when you visit our website or websites where our ads appear or when you make purchases, request or personalize information, or register for certain services. If you accept the cookies used on our website, websites that are “powered by” another company on our behalf, or websites where our ads appear, you may give us access to information about your interests. We may use that information to personalize your experience. Similar technologies such as web beacons, pixels, gifs, tags, and device ID technology also do the same thing. **Users can set their browser to remove or reject cookies and/or accept or refuse cookies on the cookie consent banner on the Site itself; however, some Platform features or Services may not work properly without cookies.**

**Analytics**: 401(play) uses the following third party analytics services:

* **Google Cloud Infrastructure and Google Analytics**: 401(play) utilizes Google Cloud Infrastructure and Google Analytics for data analytics to generate insights and recommendations. For more information please see Google’s [Privacy Policy](https://support.google.com/analytics/answer/6004245). However, if you do not want your Personal Data to be used by Google Analytics, you may opt-out by installing [Google Analytics Opt-out Browser Add-on](https://tools.google.com/dlpage/gaoptout).
* **HubSpot.** 401(play) utilizes HubSpot to measure the performance of its marketing campaigns. Please see [HubSpot's Privacy Policy](https://legal.hubspot.com/privacy-policy)for more information on their data collection and use practices.

**Third Party Advertising/Re-Targeting Services**: When accessing the Platform, third party advertising services may place a cookie on your browser, which may be used to target relevant advertisements to you when you visit third party websites. Users may opt-out from receiving targeted advertisements by visiting the (1) [Network Advertising Consumer Opt-Out](http://www.networkadvertising.org/choices/) page, (2) [Digital Advertising Alliance Opt-Out](http://www.aboutads.info/choices/#completed) page, and/or (3) the opt-out provisions pertaining to the applicable advertising services/retargeting provider.

1. **Use of Personal Information**

401(play) uses Personal Information for the following purposes or as otherwise disclosed at the time of collection:

**Provide Services.** Personal Information is used to:

* Provide, operate and improve the products and services;
* Complete transactions;
* Update you about new features and services;
* Respond to inquiries and provide support and feedback;
* Analyze data to assess, understand and improve the services and personalize user experiences, including creation of anonymized aggregated, statistical and benchmark data. Aggregated data is utilized to help develop and market products or services and present targeted content and advertising
* Enable functionality of the services to authenticate a user, prevent fraud, implement security measures and

**Marketing and Advertising**. 401(play), its service providers and third party advertising partners may user your Personal Information to advertise and market our features and services offered through the Platform, including third party products and services.

* **Direct Marketing**. 401(play) may send direct marketing communications about it, and third party business partners’, products and services offered through the Platform. You may opt-out of marketing communications at any time.
* **Interest-Based Advertising**. 401(play) has relationships with several third-party advertising partners and social media partners that allow 401(play) to serve you with targeted advertising that is relevant to you when you are on a third-party website. You can opt out of receiving online behavioral advertising within your browser or mobile applications by turning off device ad tracking or resetting the advertising identifier in your device settings.
	+ **Google Display Network**. Users can manage ad settings on [Google Advertising Opt-Out](https://adssettings.google.com/authenticated?hl=en#display_optout) and revisit their privacy preferences on Google’s [Privacy Checkup](https://myaccount.google.com/privacycheckup/1?hl=en) tool.
	+ **Facebook Visitor Action Pixels**. 401(play) may use “Visitor action pixels” from Facebook on the Platform. This allows user behavior to be tracked after they have been redirected to the provider’s website by clicking on a Facebook ad. This enables us to measure the effectiveness of Facebook ads for statistical and market research purposes. **The data collected in this way is anonymous to us, i.e. we do not see the Personal Information of individual Users.** Please see the [Facebook’s Data Policy](https://www.facebook.com/about/privacy/) for additional information.

**Service Providers.** 401(play) has engaged with third party service providers to facilitate the 401(play) services and operate our business, including without limitation, data base management hosting, information technology, VFA contributions and prepaid card services, email/SMS delivery, customer support, analytics, data security and compliance services, and travel and social-media related services necessary to provide the 401(play) Platform services.

**Compliance and Protection.** Personal Information may be disclosed to serve our legitimate business interests as follows: (1) as required by law, such as to comply with a subpoena, or similar legal process, (2) if 401(play) is involved in a merger, acquisition, or sale of all or a portion of its assets, (3) to investigate, prevent, or take action regarding suspected or actual illegal activities or to assist government enforcement agencies; (4) enforce our agreements with you, and/or (5) investigate and defend ourselves against any third-party claims or allegations. We will use commercially reasonable efforts to notify you about law enforcement or court ordered requests for data unless otherwise prohibited by law.

*Please see Section 6 for a more specific disclosure of the applicable categories of personal information collected and processed under the CCPA.*

1. **Personal Information Shared (or “Sold” as defined by the CCPA) by 401(play)**

401(play) shares certain Personal Information with third party advertisers. The CCPA broadens the definition of “sale” and “personal information” beyond how you might commonly interpret those terms.  Under the CCPA, “personal information” includes information that is not necessarily directly tied to an individual’s identity but may be associated with a device. This includes identifiers such as IP addresses, web cookies, web beacons.  Similarly, the term “sell” is defined to include not just selling in exchange for money, but also sharing or transferring personal information (including information that does not directly identify an individual as described above) in exchange for anything of value, which is not limited to the exchange of money.

With respect to retargeted marketing, 401(play) shares data with advertising partners, such as Facebook and Google, to delivering relevant advertising to you.  401(play) also has relationships with several third-party advertising partners and social media partners and will share Personal Information that allows 401(play) and its advertising partners to serve you with targeted advertising.

California residents have the right to request that 401(play) disclose the categories and/or specific pieces of personal information collected and sold and the right to direct us not to sell their “personal information” (“Right to Opt-Out”).

Requests to Know and to Opt-Out of the Sale of Personal Information can be made by selecting the link below:

Request to Opt-Out – “Do Not Sell My Personal Information”

*Please see Section 6 of this Privacy and the hyperlinked CCPA Notice for additional information.*

1. **Compliance with the Children’s Online Privacy Protection Act, CCPA and Other Privacy Regulations Relating to Children**

401(play) does not knowingly collect Personal Information from anyone under the age of 16. If a parent or guardian becomes aware that his or her minor child as defined by applicable privacy laws has provided Personal Information without their consent, he or she should contact 401(play) at support@401(play).com. We will delete such Personal Data from our files within a commercially reasonable time, but no later than required under the applicable law relating the child’s state and/or country of residence.

1. **Retention of Personal Information**

Unless erasure is otherwise requested under applicable law or as otherwise stated in this Privacy Policy, 401(play) will retain account data as long as it is necessary to provide services to our customers. Personal Information obtained from Site visitors will be maintained as long as it is necessary to provide requested communications and information-based services or until a visitor exercises the right to opt-out of requested communications or information-based services. Anonymized and pseudo-anonymized data will be retained as long as 401(play) determines such data is commercially necessary for its legitimate business interests.

1. **YOUR CALIFORNIA PRIVACY RIGHTS**

**California Consumer’s Request to Know, Right to Delete, Right to Opt-Out of Sale Notices. For Information on your California Consumer Rights, please see: “Your California Rights - California Consumer Privacy Rights Notice (“Notice”)**

A verifiable Consumer Request under this Section may be submitted to 401(PLAY) by emailing 401(PLAY) at support@401(play).com or through the account or as otherwise designated in the Notice.

For each request, 401(PLAY) will initially verify the email address on file with the email address submitted in the applicable request. Further verification will be based upon confirmation of data correlating to information maintained by 401(PLAY), as applicable. Consumers may designate an authorized agent to make a request on the Consumer’s behalf at support@401(play).com.. Requests by authorized agents are subject to additional verification requirements pursuant to the rules and regulations set forth in the CCPA.

1. **401(play)’s Security Policy**

We have implemented reasonable administrative, technical and physical security measures to protect Personal Information against unauthorized access, destruction or alteration.

1. **Response To “Do Not Track” Signals**

“Do Not Track” is a feature enabled on some browsers that sends a signal to request that a website disable its tracking or cross-website user tracking.

401(play) shall treat any user-enabled global privacy controls, such as a browser plug-in or privacy setting, device setting, or other mechanism, that communicate or signal the consumer’s choice to opt-out of the sale of their Personal Information as a valid request submitted pursuant to the CCPA for that browser or device, or, if known, for the consumer.

1. **Notification of Changes to Privacy Policy**

If we make material changes to our Privacy Policy, we will notify you by either (1) changing the Effective Date at the top of the Privacy Policy, ***or*** (ii) sending an electronic notification to all active account holders, *or* (iii) adding a banner/notification to the Site itself. Express consent will be obtained when required for any material changes in 401(play)’s collection and use practices as required by applicable law.

1. **Contact Us**

If you have any questions regarding your Personal Information or about our privacy practices, please contact us at: 401(play), **Attention: Privacy Department** at support@401(play).com.

***This Privacy Policy was last updated on August 1, 2021***