

GDPR

Approach and
Frequently Asked Questions

May, 2018

What is GDPR?

The General Data Protection Regulation (GDPR), is the primary law regulating how companies protect EU citizens' personal data. In short, on May 25, 2018, the law will require organizations that do business in the EU, including offering products and services online to EU users, to adhere to the following:

- When relying on consent, users need to provide express consent (no automatic opt-in checkboxes), including consent to send marketing email communications.
- Users have the right to erase their data and become obsolete within an organization's database.
- Users have the right to request an organization disclose the personal data it holds on them.
- Organizations must have reasonable data security measures to protect consumers' personal data against loss or exposure. • Controllers must notify the supervisory authority of a personal data breach within 72 hours of learning of the breach and must provide specific details of the breach such as the nature of breach, and the approximate number of data subjects affected.
- Controllers must also notify data subjects as quickly as possible of breaches when the breach places their rights and freedoms at high risk or if directed to by the supervisory authority.

Naylor Overview

In providing its products and services to associations, Naylor acts a data processor, and processes personal data, such as association member information, in accordance with its customers' instructions. Naylor's existing processes already allow its customers (the data controller) to address many of the GDPR's new requirements, and Naylor is implementing measures to address the remainder of the GDPR's requirements.

This document specifically addresses Naylor's software and digital products. It is organized into 3 sections; **Career Centers**, **AMS**, and **Member Communications**.

GDPR and **Naylor Career Centers**

GDPR Inspired Enhancements for Career Centers

Marketing Consent

A new configurable question will be added to the user profile asking:

“Can {Association Name} send you occasional emails?” (Yes/No)”.

The answer to this question can be included as a filter or as part of any export created within the CMSX Admin system.

In addition, Naylor is adding a special flag within the country database that will be kept up to date on countries participating in the European Union. As this is an ever-changing list we want to make sure there is an easy way for our clients to identify users within the EU when generating reports and/or exports from within CMSX.

Cookie Usage Consent

When a visitor arrives on the Career Center, a fixed consent notification bar will appear at the footer of the site and travel with the user as they navigate around the Career Center. The notification bar will include the following text:

We use cookies so that we can remember you and understand how you use our site. If you do not agree with our use of cookies, please change the current settings found in our Cookie Policy. Otherwise, you agree to the use of the cookies as they are currently set. [ACCEPT BUTTON]

The underlined “Cookie Policy” text in the above notification will link to a new Cookie Policy created by Naylor. You may view the [Cookie Policy here](#).

There will also be available a custom content area within the Cookie Policy for each association to include any additional information related to how you use cookies beyond what the Naylor Career Center is tracking.

If your association is using cookies in a more targeted manner for remarketing, advertising, etc. you may want to consider switching to our forced ‘Opt-In Consent.’ Review more information below:

A forced ‘Opt-In Consent’ would require tracking approval from site visitors, displayed via a modal window that appears and darkens everything behind it until a Yes/No response is provided or the user clicks through to view the Cookie Policy to edit their settings.

If the users says ‘No’, then no analytics are recorded from that moment on. If the user says ‘Yes’, then analytics will be tracked as before. If the user provides approval, but then later clears cookies on their browser, they will be prompted again for tracking approval.

GDPR and **Career Centers**

Should your association choose to switch to the forced 'Opt-In Consent' option, Naylor strongly recommends utilizing the custom content area of the new Cookie Policy and Privacy Policy to add text regarding how a visitor's information is used by your association beyond what is already included.

Transparency and Right to be Forgotten and Right to Know What Data is Stored

Naylor is updating the Careers platform privacy policy to include more specific language around data collection and usage.

It includes information about how a user can request the information stored about them as well as how they can go about deleting themselves from the site.

Within the new privacy policy there will be an area designated for custom content. Among other things, this gives our association partners the ability to specify if there are any third parties they work and share data with.

GDPR Specific Requirements

Users need to provide consent to email communications.

The career center does not assume or pre-check (auto opt-in) any user to any marketing or non-account related communication.

Users have the right to erase their data and become obsolete.

Users can delete their own accounts at any time from a link that exists in the My Account page of the career center platform. Admins can delete a user's account at any time from within CMSX. For legal reasons (and accepted by GDPR) any user that is also a "customer" (has purchased something on the career center) will remain within the accounting system. "Deleted Users" will be obfuscated within the system.

Users have the right to request disclosure of personal data.

Users have access to their entire profile and documents that they have uploaded to the career center at any time. Should they request this information directly to the association, the association admin may access and export all of the user's information at any time via the Boxwood admin system (CMSX).

Transparency of GDPR related requirements.

Naylor is updating the current career center privacy policy in order to provide a Naylor platform specific section that expresses how the platform is built and used by the association. Associations will be allowed to add/edit a portion of the privacy policy in order to convey any specifics about how they use the data collected on the career center.

Is there a way to pull a list of individuals (job seeker or employer user) with an EU address?

At any time admins can create an export within the CMSX reporting section with country filters that are part of the EU. In order to make this easier, we are planning to add a filter that would allow you to filter on all EU countries at once.

Is there a way to pull a record of every action a particular user took under their career center account?

No, a user is not tracked within the system in this way.

How will user consent for cookie tracking be handled?

GDPR requires a form of consent verification for each visitor to the site prior to rendering your association's Google Analytics code(s).

When a visitor arrives on the Career Center, a fixed consent notification bar will appear at the footer of the site and travel with the user as they navigate around the Career Center. The notification bar will include the following text:

We use cookies so that we can remember you and understand how you use our site. If you do not agree with our use of cookies, please change the current settings found in our Cookie Policy. Otherwise, you agree to the use of the cookies as they are currently set. [ACCEPT COOKIES]

There will also be available a custom content area within the Cookie Policy for each association to include any additional information related to how you use cookies beyond what the Naylor Career Center is tracking.

If your association is using cookies in a more targeted manner for remarketing, advertising, etc. you may want to consider switching to our forced 'Opt-In Consent.' Review more information below:

A forced 'Opt-In Consent' would require tracking approval from site visitors, displayed via a modal window that appears and darkens everything behind it until a Yes/No response is provided or the user clicks through to view the Cookie Policy to edit their settings.

If the users says 'No', then no analytics are recorded from that moment on. If the user says 'Yes', then analytics will be tracked as before. If the user provides approval, but then later clears cookies on their browser, they will be prompted again for tracking approval.

Should your association choose to switch to the forced 'Opt-In Consent' option, Naylor strongly recommends utilizing the custom content area of the new Cookie Policy and Privacy Policy to add text regarding how a visitor's information is used by your association beyond what is already included.

Personal Data

What personal data is collected?

The Career Center platform allows for the collection of name, address, email, and work history.

How is the personal data collected?

Personal data, such as name, address, email and work history is collected during the Career Center registration process. Only name and email are required for job seeker registration, all other data is optional.

What happens to the personal data after collection?

Data is only released to others with the user's consent. Employers cannot view job seeker information without their permission. Job seekers can initiate the job application process or flag their resume as searchable, which indicates voluntary and intentional release of their information. The data can also be referenced in typical career center administrative operations.

Where is the data stored?

The Career Center data is stored at Tierpoint, a U.S. based SSAE 16 SOC audited facility on the East Coast that is staffed 24 hours a day, 7 days a week, 365 days a year.

Who has access to the data and how?

Users have access to their own data at any time. Employers have access to data that they receive by job seekers applying for jobs or flagging their resume as public and searchable. Naylor provides customer service to the career center users. They may reference the user's information with their permission in order to assist in resolving support requests regarding the site. The association staff has access to the data through the Boxwood admin platform (CMSX) at all times.

How long is the data kept for?

Any user that has not logged into the system within the past 3 years will be archived. Users will be deleted from the system 2 years after they have been archived.

Is the data used for any other purpose?

The data is used for no other purposes other than those previously stated within the career center product.

Is the data transferred anywhere and if so, where and under what circumstances?

Data integrations are based strictly on the association's request. Naylor provides associations the ability to update the career center privacy policy in order to convey any integrations that take place between the career center and an outside vendor the association may be partnered with that require sharing of user data.

Who owns the data?

Under the career center Services Agreement, all data collected from employers and individuals is the property of the association.

Is there any other relevant information I should know?

Most of the information is publicly available within the association's career center to its end-users. You may add /privacy.cfm to the end of your career center URL to view the privacy policy or [click here to view a PDF](#).

GDPR and **Naylor AMS**

GDPR Inspired Enhancements for Naylor AMS

Consent

Naylor AMS is modifying its member registration and profile to go from a single consent question to now include two new questions:

Question 1

*Do you agree to receive email correspondence from this association and its members?
(Yes/No)*

Question 2

Do you agree to receive pertinent information, related to the issues covered by the association, from interested third-party entities? (Yes/No)

We will use the members response to the existing question, “Email Notifications” (Opt-Out/Email1/Email2) to pre-set the flag for these questions to Yes or No for that member.

These communication question responses will be added to both the Report Wizard for custom reports as well as the Individual/Organization search to be used as a filter for the results. Once complete you will be able to generate a list of users that have opted into receiving email from your association and/or your association’s partners.

Transparency

Naylor encourages all AMS clients to create or update their site privacy policy making sure that they disclose to users what data is being collected on them and for what purpose. The built-in content management system can be used within the product to fulfill this requirement.

We recommend using the template that is provided by the Better Business Bureau and modifying it accordingly for this purpose, <https://www.bbb.org/reno/for-businesses/sample-privacy-policy/>

There is an [example of this](#) on our sample sales site where we have created the page within the content management system and then added a link to the policy in the footer of the site using the “Custom Website Content” interface.

Right to be Forgotten and Right to Know What Data is Stored

Within the updated privacy policy that you create, it is a good idea to add a paragraph explaining how a user can contact you in order to either delete their record or request the information you have stored on them.

Both of these requests can be fulfilled by the association administrator using their AMS admin tool.

Google Analytics Cookie Tracking

When a visitor arrives on the public AMS site, a fixed consent notification bar will appear at the footer of the site and travel with the user as they navigate around the site. The notification bar will include the following text:

We use cookies so that we can remember you and understand how you use our site. If you do not agree with our use of cookies, please change the current settings found in our Cookie Policy. Otherwise, you agree to the use of the cookies as they are currently set. [ACCEPT COOKIES]

There will also be available a custom content area within the Cookie Policy for each association to include any additional information related to how you use cookies beyond what the Naylor AMS is tracking.

If your association is using cookies in a more targeted manner for remarketing, advertising, etc. you may want to consider switching to our forced ‘Opt-In Consent.’ Review more information below:

A forced ‘Opt-In Consent’ would require tracking approval from site visitors, displayed via a modal window that appears and darkens everything behind it until a Yes/No response is provided or the user clicks through to view the Cookie Policy to edit their settings.

If the users says ‘No’, then no analytics are recorded from that moment on. If the user says ‘Yes’, then analytics will be tracked as before. If the user provides approval, but then later clears cookies on their browser, they will be prompted again for tracking approval.

Should your association choose to switch to the forced ‘Opt-In Consent’ option, Naylor strongly recommends utilizing the custom content area of the new Cookie Policy to add text regarding how a visitor’s information is used by your association beyond what is already included. It would also be advised to add this content to your association’s Privacy Policy referenced above.

GDPR Specific Requirements

Users need to provide consent to email communications.

Naylor AMS does include a single existing question, “Email Notifications” (Opt-Out/Email1/Email2) to which members have indicated a Yes/No.

Naylor will be adding two additional questions to specify expressed consent to receive email from the association and its members, as well as, to receive pertinent information relevant to the association, from interested third-party entities.

Users have the right to erase their data and become obsolete.

Members/Prospects will need to be informed within your privacy policy how they can contact you in order to delete their record. This can be fulfilled by your association administrator using the AMS admin tool. For legal reasons (and accepted by GDPR) any user that is also a “customer” (has purchased something within the AMS) will remain within the accounting system. “Deleted Users” will be obfuscated within the system.

Users have the right to request disclosure of personal data.

Members/Prospects will need to be informed within your privacy policy how they can contact you in order to request disclosure their record. This can be fulfilled by your association administrator using the AMS admin tool.

Transparency of GDPR related requirements.

Naylor encourages all AMS clients to create or update their site privacy policy making sure that they disclose to users what data is being collected on them and for what purpose. The built-in content management system can be used within the product to fulfill this requirement. We recommend using the template that is provided by the Better Business Bureau and modifying it accordingly for this purpose, <https://www.bbb.org/reno/for-businesses/sample-privacy-policy/>

There is an example of this on our sample sales site, <https://naylor-nb.membershipsoftware.org/privacy> where we have created the page within the content management system and then added a link to the policy in the footer of the site using the “Custom Website Content” interface.

Is there a way to pull a list of individuals with an EU address?

At any time admins can create an export within the AMS Report Wizard with country filters that are part of the EU.

What is the mobile security description?

The AMS implementation is responsive, which means the same secure code that is executed on a desktop device is also used on mobile devices.

How will user consent for cookie tracking be handled?

When a visitor arrives on the public AMS site, a fixed consent notification bar will appear at the footer of the site and travel with the user as they navigate around the site. The notification bar will include the following text:

We use cookies so that we can remember you and understand how you use our site. If you do not agree with our use of cookies, please change the current settings found in our [Cookie Policy](#). Otherwise, you agree to the use of the cookies as they are currently set. [ACCEPT BUTTON]

The underlined “[Cookie Policy](#)” text in the above notification will link to a new Cookie Policy created by Naylor. [You may view the Cookie Policy here.](#)

There will also be available a custom content area within the Cookie Policy for each association to include any additional information related to how you use cookies beyond what the Naylor AMS is tracking.

If your association is using cookies in a more targeted manner for remarketing, advertising, etc. you may want to consider switching to our forced ‘Opt-In Consent.’ Review more information below:

A forced ‘Opt-In Consent’ would require tracking approval from site visitors, displayed via a modal window that appears and darkens everything behind it until a Yes/No response is provided or the user clicks through to view the Cookie Policy to edit their settings.

If the users says ‘No’, then no analytics are recorded from that moment on. If the user says ‘Yes’, then analytics will be tracked as before. If the user provides approval, but then later clears cookies on their browser, they will be prompted again for tracking approval.

Should your association choose to switch to the forced ‘Opt-In Consent’ option, Naylor strongly recommends utilizing the custom content area of the new Cookie Policy to add text regarding how a visitor’s information is used by your association beyond what is already included. It would also be advised to add this content to your association’s Privacy Policy referenced above.

Personal Data

What personal data is collected?

The AMS platform allows for the collection of organization, name, address, phone, email, as well as other information specific to each association such as continuing education credits, certifications, etc.

How is the personal data collected?

Personal data, such as name, address, email and phone are collected during the Member registration, Event registration, contact forms, etc.

What happens to the personal data after collection?

Data is only released to others with the users consent. The data can also be referenced in typical AMS administrative operations.

Where is the data stored?

The AMS data is stored at Tierpoint, a U.S. based SSAE 16 SOC audited facility on the East Coast that is staffed 24 hours a day, 7 days a week, 365 days a year.

Who has access to the data and how?

Users have access to their own data at any time. Naylor provides customer service to the association administrative users. They may reference a user's information with the association's permission in order to assist in resolving support requests regarding the site. The association staff has access to the data through the Naylor AMS at all times.

How long is the data kept for?

Data remains in the association database for the duration of the AMS contract between Naylor and the association.

Is the data used for any other purpose?

The data is used for no other purposes other than those previously stated within the AMS product. Naylor AMS clients are encouraged to update their privacy policy to disclose any other uses of personal data.

Is the data transferred anywhere and if so, where and under what circumstances?

Data integrations are based strictly on the association's request. Naylor provides associations the ability to update the AMS privacy policy in order to convey any integrations that take place between the AMS and an outside vendor the association may be partnered with that require sharing of user data.

Who owns the data?

Under the AMS Services Agreement, all data collected is the property of the association.

GDPR and Member Communications

GDPR Inspired Enhancements for Naylor Member Communications

Newsletter Distribution

All online subscribe pages for newsletters will now require the user to fill out their country and check a box showing explicit consent before subscribing to a newsletter.

Example of consent statement:

I consent to Naylor sending the Over the Wire newsletter to me on behalf of TAPPI.

As the data controller, it is the responsibility of the association to collect consent for any EU citizen included in the email distribution list they provide to Naylor for their newsletter distribution.

Marketing Emails

Marketing emails are not sent to purchased lead lists. Naylor only sends marketing emails lists provided by the association** or past advertisers. Naylor removes all EU citizen emails from the past advertisers lists, unless we have received consent from that individual.

** It is the responsibility of the association to collect consent for any EU citizen included in the email distribution list they provide to Naylor for any marketing emails sent on their behalf.

Transparency and Right to be Forgotten and Right to Know What Data is Stored

Naylor is updating our general privacy policy to include more specific language about how Naylor collects and uses its own customers' personal data.

These updates include information about how our EU customers can request access to the information we store about them as well as how they can go about requesting deletion of their personal data from our databases. Our privacy policy can be [found on our website](#).

GDPR Specific Requirements

Individuals need to provide consent to email communications.

Email addresses Naylor collects on behalf of our association for any email communications are not assumed or pre-checked (auto opt-in) consent. Explicit consent by the user is collected prior to adding them to our distributions list.

Consent should be collected by the association for all EU email addresses provided to Naylor by the association for any email distribution.

GDPR and **Member Communications**

Individuals have the right to erase their data and become obsolete.

In certain circumstances, any EU citizen can contact the association, who in turn contacts Naylor, or contact Naylor directly to have their data erased from our system based on the reasons set forth under Article 17 of the GDPR. Naylor has one month to comply with this request as long as the user's reasoning for the request is an accepted reasoning within the regulation.

Individuals have the right to request disclosure of personal data.

Any EU citizen has the right to obtain a copy of their personal data as well as other supplementary information. Naylor has one month to comply with this request when made directly or through the association and are prepared to do so.

Transparency of GDPR related requirements.

Naylor is updating our website with our privacy policy. Instruction will be given on the website on how someone can contact Naylor for more specific information on our system compliance.

User consent for cookie tracking be handled.

EU and EU member state law requires a form of consent verification for each visitor to the site prior to rendering your association's Google Analytics code(s).

When a visitor arrives on the Online Buyers' Guide or Magazine Website, a fixed consent notification bar will appear at the footer of the site and travel with the user as they navigate around the site. The notification bar will include the following text:

We use cookies so that we can remember you and understand how you use our site. If you do not agree with our use of cookies, please change the current settings found in our Cookie Policy. Otherwise, you agree to the use of the cookies as they are currently set. [ACCEPT COOKIES]

What personal data is collected?

Naylor collects information in accordance with our clients instructions. This typically includes, but is not limited to, personal data necessary to deliver a print or online communication , such as name, address, and email address.

How is the personal data collected?

Personal data is typically received directly from our association customer. Where instructed to, we may collect personal data on behalf of our customers via other means, such as through a customer website managed by Naylor.

What happens to the personal data after collection?

Data is used at the direction of the association. Any data you send us is saved and utilized as directed. Naylor does not take that information and share it within anyone else or use it for communications that aren't approved by the association.

Where is the data stored?

The Career Center and AMS data is stored at our third party service provider Tierpoint, a U.S. based SSAE 16 SOC audited facility in the United States that is staffed 24 hours a day, 7 days a week, 365 days a year. Member Communications data is stored at the Bell/MTS data center (Tier 3 certified Cloud services facility) in Winnipeg Canada. This facility is staffed 24 hours a day, 7 days a week, 365 days a year. Naylor is working with its service providers to put appropriate contractual protections in place for processing EU personal data.

Who has access to the data and how?

Naylor limits access to personal data to employees who have a need to know in order to provide services to our customers. Access to our systems is terminated when an employee leaves the company.

Is the data used for any other purpose?

The data is used only for purposes instructed by the association.

Is the data transferred anywhere and if so, where and under what circumstances?

Naylor generally maintains servers and systems in the United States hosted by third party service providers. When our customers request it, we will enter into the European Commission's approved Standard Contractual Clauses for transfers of EU personal data from our customers in the EU.

Who owns the data?

All data processed by Naylor on behalf of an association is the property of the association that supplied it.

Important Disclaimer:

We have been working diligently to analyze and understand the GDPR. We are working with industry experts to ensure our approach to compliance meets the standards set forth in the regulation. This document is not intended to be used as legal counsel nor should it be used to determine how the regulation applies to any particular association client. We encourage associations to engage compliance consultants or legal counsel for specific legal advice.

