



Powell Privacy Statement

Version: 3.0 Applies To: Company

**Company Policy
Governance Policies**

Effective Date	July 28, 2020	Supersedes	
Author	Perez, Arthur – Director IT Infrastructure & CISO		
Approvals	Callahan, Bob – Chief Information Officer		
Purpose	This Privacy Statement explains how we collect, protect, use, and share information when you access our websites and/or apply for and avail of our products and services.		

Scope

This Policy applies to non-HR information collected by Powell Industries from which an individual can be identified (“Personal Information”). The Personal Information we collect includes the information described below as well as certain information including names, job titles, email addresses, mailing and billing addresses and telephone and fax numbers collected from customers, potential customers and end users of our products and services for sales, marketing, order fulfillment and order delivery purposes. Additionally, in our section on Online Information, we also discuss how we gather and use all information gathered online even if it is not Personal Information. Powell Industries will not deviate from this Policy even if applicable national laws are less stringent than this Policy.

Introduction

Powell Industries is committed to protecting your privacy. We publish our Privacy Policy so that you can understand our privacy practices and how they help protect your privacy.

Powell Industries is a multi-national business headquartered in the United States. Our management structure and business processes cross borders. Some of our technological systems and databases are shared between our US, European and other international offices. This means that our customer and employee data is transferred across borders.

Powell Industries and each of its covered entities; Powell Electrical Systems, Inc. and Powell Industries International, Inc., may from time to time handle personal information collected from individuals located within European Union member countries comply with the EU-US Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, onward transfer and retention of personal information from European Union member countries. Powell Industries has certified to the U.S.

Powell Privacy Statement

Version: 3.0 Applies To: Company

**Company Policy
Governance Policies**

Department of Commerce that it, and its subsidiary, Powell Electrical Systems Inc., adhere to the Privacy Shield Principles of:

- Notice
- Choice
- Accountability for onward transfer
- Security
- Data integrity and purpose limitation
- Access
- Recourse, enforcement and liability

Powell Industries and each of its covered entities does not transfer data with Switzerland therefore does not seek or cover the additional SW-US Privacy Shield Framework certification of non-HR Data.

Public Commitment

Powell Industries complies with the EU-U.S. Privacy Shield Framework (Privacy Shield) as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the United Kingdom to the United States in reliance on Privacy Shield. Powell Industries has certified to the Department of Commerce that it adheres to the Privacy Shield Principles with respect to such information. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

Notice

We collect, process and use your Personal Information only as a part of our business relationship with you and your company, including contract and billing administration; product and service delivery; fulfilling our business obligations to our customers; communicating with customers and potential customers about marketing and technical information concerning our products and services; notifying our customers and potential customers regarding product launches and important events related to Powell Industries; and other related business activities of which you are informed of at the time your Personal Information is collected or as soon thereafter as practical. Powell Industries only collects personally identifiable information about individuals when such individuals specifically provide such information to us on a voluntary basis or while requesting information on our products or services. We may disclose Personal Information to our agents and business partners or to protect and defend the rights or property of Powell Industries. Powell Industries must reply to lawful requests from public authorities, including to meet national security or law enforcement requirements, for disclosure of Personal Information. Your information may be shared internally with the HR, Sales & Marketing, IT, After Sales Service and Social Media functions depending on the nature of the data collected.

Powell Industries does not sell, lease, or rent Personal Information to third parties.

Online Information

In general, you may visit our Websites without providing any Personal Information. However, you may choose to provide us with Personal Information by completing online forms. At the point of collection, we will inform you of how your Personal Information will be used; apart from these uses, Powell Industries will only use your Personal Information in accordance with the terms of this Policy.

Online forms are available for website users to submit general and customer queries, join our talent network, and apply for a job or request information as an investor.

Use of Cookies

Cookies are used for performance tracking and monitoring, traffic analysis. Powell does not track any personal IP addresses or other Personally Identifiable Information (PII) with cookies.

Choice

We will always give you an opportunity to choose opt-out before your Personal Information is (1) disclosed to a third party (other than an Powell Industries agent, business partner doing work at our direction), or (2) to be used for a purpose that is materially different than that for which it was originally collected or subsequently authorized by you. The only exception to this choice for both sensitive and non-sensitive Personal Information would be where we are required to disclose your Personal Information pursuant to governmental or judicial order, law or regulation to meet national security or law enforcement requirements.

At a minimum, you will always be able to opt-out from receiving marketing materials from Powell Industries. If we determine that applicable national law requires that more stringent requirements (opt-in) be applied before you receive marketing material or other communications from us, we will implement the same.

Accountability for Onward Transfer

We will not transfer Personal Information originating in the EU to third parties unless such third parties have entered into an agreement in writing with us requiring them to provide at least the same level of privacy protection to your Personal Information as required by the Principles of the EU-US Privacy Shield Framework. We will only transfer data to our agents or third party service providers (such as accountants, attorneys, consultants, and other service providers) who need the information in order to provide services to or perform activities on behalf of Powell Industries, including in connection with the delivery of services or products, Powell Industries' management, administration, or legal responsibilities. We acknowledge our liability for such data transfers to third parties.

Security

To protect Personal Information collected and stored by Powell Industries, we have in place reasonable and appropriate technical and operational security measures to prevent Personal Information from loss, misuse, unauthorized access, disclosure, alteration, and destruction.

Where the organisation engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

Data Integrity and Purpose Limitation

We will only collect and retain Personal Information which is relevant to the purposes for which the information is collected, and we will not use it in a way that is incompatible with such purposes unless such use has been subsequently authorized by you. We will take reasonable steps to ensure that Personal Information is reliable for its intended use, accurate, complete, and current. We may occasionally contact you to determine that your data is still accurate and current.

Automated Decision-making

No decisions are based on automated decision-making.

Access

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the organisation to change incorrect or incomplete data;
- require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please notify us at privacy@powellind.com. We will respond to your request within a reasonable time.

Recourse, Enforcement and Liability

Since we are committed to protecting your privacy as set forth in this Policy, if you think we are not in compliance with our Policy, or if you have any question or if you wish to take any other action concerning this Policy or your Personal Information, we encourage you to contact us at privacy@powellind.com. We will investigate your complaint, take appropriate action and report back to you within 45 days.

Powell Privacy Statement

Version: 3.0 Applies To: Company

***Company Policy
Governance Policies***

If we have not addressed your complaint to your satisfaction, please contact or visit <https://www.privacyshield.gov/assistance> for more information or to file a complaint. If you are still not satisfied with the above recourse mechanism, you may be able to invoke binding arbitration. If you are a resident of the EU please contact the relevant governing body for the General Data Protection Regulations. Powell has further committed to cooperate with the panel established by the EU data protection authorities (DPAs) with regard to unresolved Privacy Shield complaints. Powell is subject to the investigatory and enforcement powers of the Federal Trade Commission (FTC).

Right to Change Policy

In general, changes will be made to this Policy to address new or modified laws, changes to EU-US Privacy Shield Framework, or new or modified business procedures. However, we reserve the right to amend this Policy at any time. Appropriate notice will be given concerning such amendments.