

Overview

The California Consumer Privacy Act (CCPA) goes into effect on January 1, 2020. The CCPA is the first statute in the United States to establish an individual's control over their own personal data. It will apply to many medium-to-large for-profit companies that collect or process California residents' personal information. It is likely to be followed by growing number of state laws emulating the European Union (EU) General Data Protection Regulation (GDPR).

Agilysys pledges to support our customers in their CCPA compliance efforts. We understand the critical role our hospitality software plays in that journey, and are constantly improving security features, setting policies, and creating documentation for our suite of software solutions to be used in meeting the CCPA's exacting standards.

Applicability

The CCPA applies to any for-profit company doing business in California that: 1) has a gross revenue over \$25M per year; 2) annually buys, receives, sells, or shares the personal information of more than 50,000 customers (devices, individuals, and/or households); or 3) derives 50% or more of its annual revenue from selling consumers' personal information. The CCPA also applies to entities that control, are controlled by, or share common branding with a covered entity.

California residents' "personal information" to be protected under the CCPA includes "information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household." Covered businesses are required to inform California residents about what information will be collected, and for what purposes, at the point of collection. Covered businesses also must provide opt-out options prior to selling "personal information" to third parties. Like the GDPR, the CCPA also provides certain qualified rights to consumers, including the rights of access, portability, and deletion.

Civil damages for non-compliance range from \$100 to \$750 per incident (the California Attorney General may bring actions with penalties of \$2,500 to \$7,500 per violation), plus injunctive relief, although damages are limited to certain kinds of data breaches in either type of action. Covered businesses receive a 30-day cure period for any alleged violation.

Our Services

On-Premises Products: Our on-premises products operate on hardware owned or leased by our customers, at locations that they control. In this case, our customer is both the Business and Service Provider – as defined by the CCPA – and therefore solely subject to its rules.

Hosted Products: Our hosted products operate on hardware, and in data center space, leased from third-parties. We assist in managing the product on our customers' behalf. In this case, the customer is the Business, we are a Service Provider and we have made the below commitments concerning our CCPA obligations.

SaaS Products: SaaS products are software operated on infrastructure that we own or manage, which our customers access via the internet. Our customer would be a Business and we are a Service Provider regarding these products. We have made specific commitments below concerning our Service Provider obligations under the CCPA.

Customer Relationship: We maintain a minimal amount of work-specific information on some of our customers' employees – such as their names, work e-mail, and work telephone - that is voluntarily provided and necessary to conduct our business relationship. In this case, we are a Service Provider and will satisfy the below CCPA commitments.

Customer Support: From time to time, our customers may ask us to assist with product troubleshooting – either remotely or on premises – which may incidentally grant us access to our customers' guests' data. Although we do not retain this data, and will delete it if it is unintentionally retained, we consider ourselves a Service Provider in such a situation and will meet the below CCPA commitments.

Our Commitments

We are committed to the principles outlined by the CCPA:

- Implementing technical and organizational measures to provide adequate protection of our customers' data;
- Using agreements that specify our obligations to our customers and their guests;
- Processing data only on a lawful basis;
- Enabling our customers to determine whether, how, and why data is being processed;
- Ensuring that our employees involved in data processing are subject to appropriate obligations of secrecy;
- Supporting proper requests to access, correct, search, export, or erase any processed data;
- Transferring data only via lawful transfer mechanisms;
- Assisting our customers with audits, compliance, investigations, or certifications; and
- Documenting data breaches, and timely notifying our customers when they occur.

Contact Agilysys

Businesses and Consumers may direct questions to the Agilysys Privacy Team by emailing privacy@agilysys.com.

ABOUT AGILYSYS

Agilysys has been a leader in hospitality software for more than 40 years, delivering innovative guest-centric technology solutions for gaming, hotels, resorts and cruise, corporate foodservice management, restaurants, universities, stadia and healthcare. Agilysys offers the most comprehensive software solutions in the industry, including point-of-sale (POS), property management (PMS), inventory and procurement, payments, and related applications, to manage the entire guest journey. Agilysys is known for its leadership in hospitality, its broad product offerings and its customer-centric service. Some of the largest hospitality companies around the world use Agilysys solutions to help improve guest loyalty, drive revenue growth and increase operational efficiencies. Agilysys operates across North America, Europe, Asia-Pacific, and India with headquarters located in Alpharetta, GA. For more information visit Agilysys.com.

The Agilysys logo features the company name in a green, serif font. The letters 'y' and 's' in 'Agilysys' are stylized with a double-dot effect, making them appear as if they are part of a larger, dotted sequence.