

WINDWARD FUND – UnitedAgainstPolluters.com website

Privacy Policy

Effective September 28, 2021

1. INTRODUCTION

Windward Fund, a 501(c)(3) charitable organization wants you to be familiar with how the project associated with UnitedAgainstPolluters.com website (the “Website,” and such project, the “Project”) collects, uses and discloses information from and about you because we understand you are concerned about your privacy, and we want to maintain your trust.

This Privacy Policy applies to information we collect from the Website, and any associated mobile sites, mobile applications, electronic newsletters, and other online platforms associated with United AgainstPolluters (collectively, the “Project Online Services” or “Services”) that link to this Privacy Policy. This Policy describes the Project's collection and use of users' Personal Information (as defined below). It also describes generally the Project's practices for handling Other Information (e.g., interests, demographics and services usage) collected through our Project Online Services or from a third-party to the extent such information is associated with a particular device, user or user account. By using the Project Online Services or by providing Personal Information to us, you agree to the terms and conditions of this Privacy Policy.

You may choose not to submit requested information online, or may choose to restrict the use of cookies (see Other Information below for more information), but that may limit the Services the Project is able to provide to you.

The Project Online Services are provided on a network of websites, and are not targeted to, and do not knowingly collect Personal Information from, minors under 18 years of age. We request that these individuals do not provide Personal Information through the Project Online Services.

2. INFORMATION WE COLLECT

The Project and our service providers may collect the following information from and about you:

Personal Information

"Personal Information" for purposes of this Privacy Policy is any information relating to you as an identified or identifiable natural person. An "identifiable natural person" is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Personal Information From You

We collect Personal Information when, for example, you register for or subscribe to certain Services; create a profile; visit our Project Online Services; use an interactive feature; make a donation; participate in a community forum; or contact us.

Personal Information We Receive from Third-parties

We may receive Personal Information about you from third parties, such as social media services, commercially available sources, Project affiliates, and business partners. The Personal Information we receive from third parties may include, for example, your name, contact information, information about your transactions, purchase history, or relationships with various product and service providers, your use of certain applications, your interactions with other websites or advertisements, political preferences, and voter information.

Other Information

"Other Information" is any information that is not Personal Information, such as browser information, app usage data, information collected through cookies and other technologies, demographic information, and aggregated information.

Other Information You Submit

We collect Other Information when you submit it to us. It may include your gender, zip code, birthday, education, occupation, and interests.

Other Information We Receive from Third-parties

We may receive Other Information about you from third parties, including, for example, demographic data, information about your interests, and information about your activities on other websites.

Other Information We Collect Automatically When You Are Online

When you access and interact with our Project Online Services, we and our service providers may automatically collect certain information about those visits. For example, in order to permit your connection to the Project Online Services, our servers receive and record information about your computer, device, and browser, potentially including your IP address, browser type, and other software or hardware information. If you access the Project Online Services from a mobile or other device, we may collect a unique device identifier assigned to that device ("UDID"), geolocation data, or other transactional information for that device.

The Project and our service providers also may use cookies and other tracking technologies (such as browser cookies, pixels, beacons, and Adobe Flash technology including cookies) when you visit or use the Project Online Services. Third parties that support the Project Online Services by serving advertisements or providing services, such as providing users with the ability to comment on content, allowing users to share content, customizing content based on usage, or tracking aggregate site usage statistics, may also use these technologies to collect Other Information on the Project Online Services and on other websites.

Most browsers are initially set to accept cookies, but you can change your settings to notify you when a cookie is being set or updated, or to block cookies altogether. Please consult the "Help" section of your browser for more information. Please note that by blocking any or all cookies you may not have access to certain features or personalization available through our Project Online Services.

3. HOW WE USE YOUR INFORMATION

We collect, use or otherwise process Personal Information as allowed under applicable law, including where based on one or more of the following:

- The consent you provide to us at the point of collection of your Personal Information;
- The performance of the contract we have with you;
- The compliance of a legal obligation to which we are subject; or
- The legitimate interests of the Project, a third party or yourself. "Legitimate interest" is a technical term under applicable regulations. It means that there are good reasons for the processing of your personal information and measures are taken to minimize the impact on your privacy rights and interests. "Legitimate interest" also references our use of your data in ways you would reasonably expect and that have a minimal privacy impact. We have a legitimate interest in collecting and processing personal information, for example: (1) to ensure that our networks and information are secure; (2) to administer and generally conduct business within the Project; and (3) to prevent fraud.

We use the Personal Information we collect from and about you for the purposes set forth below. Please note that we may use and disclose Other Information for any purpose, except where we are required to do otherwise under applicable law. If we are required to treat Other Information as Personal Information under applicable law, then we may use and disclose it for all the purposes for which we use and disclose Personal Information. We may combine Other Information with your Personal Information, and when we do, we treat the combined information as Personal Information.

To improve the quality of our products and Services and to personalize your experience by presenting content, products and offers tailored to you, we may also combine the Personal and Other Information we collect with information relating to your use of other Project products, Services and websites. In addition, we may supplement the Personal and Other Information we collect with information from other sources, such as publicly available information from social media services, commercially available sources and information from Project business partners.

To provide and manage our Services. We use the information we collect from and about you to provide our products, Services and features to you, including: to process and fulfill your requests for Services, to send you information about your relationship or transactions with us, to measure and improve those Services and features, to allow you to comment on content and participate in campaigns and programs, use collaboration tools to share content and collaborate with other users, to provide you with customer support, including online chats, and to respond to inquiries. If you choose to use available collaboration tools, some of your Personal Information may be included in a directory that can be viewed and used by other users of available collaboration tools.

You may further be able to upload comments, photographs, or other content, and related information, such as your name or email address (collectively, “**User Content**”). User Content may be publicly available, and we cannot limit how others may use such User Content. By contributing User Content, you agree that you are at least 18 years old; own, control, or otherwise have the rights to such User Content; and your User Content does not infringe or violate the rights of any third parties.

To deliver relevant content and recommendations. To make your experience more interesting and personalized, we may use any of the Personal and Other Information we collect to assist us in delivering content on any of our Project Online Services.

Analysis and Development of New Products and Services. We perform statistical, demographic and marketing analyses of users of the Services, and their usage patterns, so we can analyze or predict our users’ preferences for product and services development purposes, to determine our promotional campaign effectiveness so we can adapt our campaign to the needs and interests of our users, and to generally inform our third-party partners about the nature of our user base. We use this information for analytical purposes, including analysis to improve customer relationships, to support strategic decisions

and marketing tactics and to measure and track our brand health. We will engage in these activities to manage our contractual relationship with you, to comply with a legal obligation, or because we have a legitimate interest in doing so.

Aggregating and/or Anonymising Personal Information. We aggregate and/or anonymize personal information so that it will no longer be considered personally identifying. We do so to generate other data for our use, which we may use and disclose for any purpose.

To deliver relevant online advertising. The Project Online Services and our service providers may use any of the information we collect from and about you (in certain cases, such as with respect to financial information, only with your express permission) to assist us in delivering relevant ads to you when you use the Project Online Services or another service provided by the Project or unaffiliated third parties. (See Information We Collect, above, for details on the types of information we may use.) As noted above, we may work with third-party online advertising companies and advertisers who help deliver these ads to you. These third parties may collect and use information about your activities on our Project Online Services and on other websites, and Other Information about you, to limit the online ads you encounter to those we believe are consistent with your interests.

To allow social sharing functionality. If you log in with or connect a social media service account with a Project Online Service, we may use Personal and Other Information to facilitate your sharing of information between the Project Online Services and your social media service.

To contact you. The Project may periodically send promotional materials, surveys, or notifications related to our Services. To help make these materials more relevant to you, we may use and combine any of the Personal and Other Information we collect to assist us in sending you these materials. We may also use your information to contact you, including to respond to your comments, inquiries or requests. If you want to stop receiving these materials from us, please follow the instructions in the Choices and Access section below.

To protect the rights of the Project and others. The Project may use your Personal Information as we believe to be necessary or appropriate in order to: (i) protect, enforce, or defend the legal rights, privacy, safety, or property of the Project, our employees, agents or contractors (including enforcement of our agreements and our terms of use); (ii) protect the safety, privacy, and security of users of our Services or members of the public; (iii) protect against fraud or for risk management purposes; (iv) comply with the law or legal process, including laws outside your country of residence; or (v) to respond to requests from public and government authorities including public and government authorities outside your country of residence.

4. HOW WE SHARE YOUR INFORMATION

Information Made Public Through Use of Our Services and User Privacy Settings

Certain features on the Project Online Services may give you an opportunity to interact with us and others. These may include collaboration tools, community forums, creating community profiles, and rating, tagging and commenting on content. When you use these features, you should be aware that any information you submit, including your name, user name, location, email address, profile information, picture, and comments you submit, may be publicly available to anyone, including other users, search engines, advertisers, third-party application developers, and anyone else with access to the Project Online Services. We are not responsible for any information you choose to submit and make public through these interactive features.

Our Disclosure of Information

The Project may share your Personal Information with non-affiliated third parties when sharing is permitted by you or authorized by this Privacy Policy, including:

To allow third-party service providers to assist us in providing and managing our Services. We may make your Personal Information available to certain third-party service providers, such as contractors, agents or sponsors, who help us manage or provide our Services by, for example: developing or supporting features; sending email messages on our behalf; delivering subscriptions; auditing; processing data or statistics; and serving, customizing or delivering marketing or ads. These outside service providers are required to protect Personal Information entrusted to them and not use it for any other purpose than the specific service they are providing to us.

Payment Processing. We may use a third-party payment service to process payments made through the Services. If you wish to make a payment through the Services, your personal information will be collected by such third party and not by us, and will be subject to the third party's privacy policy, rather than this Privacy Policy. We have no control over, and are not responsible for, this third party's collection, use and disclosure of your personal information.

To provide co-branded Services and features. We may offer co-branded Services or features, such as webinars or other promotions together with a third party ("**Co-Branded Services**"). These Co-Branded Services may be hosted on the Project Online Services or on the third party's service. By virtue of these relationships, we may share the information you submit in connection with the Co-Branded Service with the third party. The third party's use of your information will be governed by the third party's privacy policy.

To other nonprofits. We may share, rent, exchange, or sell your information to other nonprofit organizations where we believe that doing so advances the purposes of the Services and of the Project,

including so that those other nonprofits may send you promotional emails. You acknowledge and agree that, upon such a transfer, your information will be subject to the privacy policy of the applicable nonprofit. Where required by applicable law, we will obtain your consent prior to such a transfer.

To allow social sharing functionality. If you log in with or connect a social media service account with a Project Online Service, we may share your user name, picture, and likes, as well as your activities and comments with other Project Online Services users and with your friends associated with your social media service. We may also share the same information with the social media service provider. By logging in with or connecting your Project Online Services account and your social media service, you are authorizing us to share information we collect from and about you with the social media service provider, other users and your friends, and you understand that the social media service's use of the shared information will be governed by the social media service's privacy policy. If you do not want your Personal Information shared in this way, please do not connect your social media service account with your Project Online Services account, and do not participate in social sharing on the Project Online Services.

To protect the rights of the Project and others. There may be instances when the Project may disclose your Personal Information, including situations where we have a good faith belief that such disclosure is necessary in order to: (i) protect, enforce, or defend the legal rights, privacy, safety, or property of the Project, our employees, agents or contractors (including enforcement of our agreements and our terms of use); (ii) protect the safety, privacy, and security of users of our products and Services or members of the public; (iii) protect against fraud or for risk management purposes; (iv) comply with the law or legal process, including laws outside your country of residence; or (v) to respond to requests from public and government authorities including public and government authorities outside your country of residence.

To complete a merger, sale of assets, or bankruptcy. If the Project transfers all or part of its operations or makes a sale or transfer of its assets or is otherwise involved in a merger, bankruptcy, or transfer of all or a material part of its operations, the Project may transfer your information to the party or parties involved in the transaction as part of that transaction.

5. SECURITY

The Project uses a combination of administrative, technical, personnel and physical measures to safeguard Personal Information in its possession against loss, theft and unauthorized use, disclosure or modification. However, no one can guarantee the complete safety of your information. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting Customer Service in accordance with the instructions below.

6. CHOICES AND ACCESS

Your Choices Regarding Our Use and Disclosure of Your Personal Information

We give you many choices regarding our use and disclosure of your Personal Information for marketing purposes.

You may opt out from receiving electronic communications from us (including surveys or notifications), by following the unsubscribe instructions at the bottom of each email.

You may also opt out from our sharing of your contact information with the Project affiliates and unaffiliated third parties for their marketing by contacting Customer Service as detailed below.

Please note that there are certain service notifications that you may not opt out of, such as renewal notices and notifications of changes to the Project products and Services or policies. If you have installed a mobile app and you wish to stop receiving push notifications, you can change the settings either on your mobile device or through the app.

How To Access, Correct or Update Your Personal Information

If you would like to request to review, correct, restrict or delete personal information that you have previously provided to us, object to the processing of personal information, or if you would like to request to receive an electronic copy of your personal information for purposes of transmitting it to another company (to the extent this right to deletion, data inventory, and data portability is provided to you by applicable law), you may contact Customer Service, as indicated below. Where the Project Online Services provide the ability to register as a user, registered users can also update their Personal Information online by signing on to their accounts and visiting the appropriate account management sections of our websites. Please note that if you have registered for more than one of our publications or Services, you may need to update your information for each separately.

You may also contact the Project Customer Service by email to privacy@windwardfund.org or by mail to 1828 L. Street, NW NW, Suite 300-C, Washington, DC 20036.

For your protection, we may only implement requests with respect to the Personal Information associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request.

We will respond to your request consistent with applicable law.

You may lodge a complaint with a data protection authority for your country or region or where an alleged infringement of applicable data protection law occurs. A list of EU data protection authorities is available at <https://ec.europa.eu/newsroom/article29/items/612080>.

Please note that we may need to retain certain information for recordkeeping purposes and/or to complete any transactions that you began prior to requesting such change or deletion (e.g., when you subscribe to a Service, you may not be able to change or delete the Personal Information provided until after the completion of such Service).

Your California Privacy Rights

California Law permits our customers who are California residents to request certain information regarding our disclosure of Personal Information to third parties for their own direct marketing purposes. If you are a resident of California, under 18 and a registered user of the Services, you may ask us to remove content or information that you have posted to the Services. To make either request, please write to us by email to privacy@windwardfund.org or by mail to 1828 L. Street, NW NW, Suite 300-C, Washington, DC 20036, and include your name and the address to which you would like us to respond.

7. SENSITIVE PERSONAL INFORMATION

Unless specifically requested (for example, in connection with a particular survey), we ask that you not send us, and you not disclose, any sensitive personal information (e.g., social security numbers, information related to racial or ethnic origin, health, biometrics or genetic characteristics, criminal background or trade union membership) on or through the Services or otherwise to us.

8. OTHER IMPORTANT INFORMATION

Do Not Track Disclosure. Some browsers or other tools include “Do Not Track” (DNT) features which, when turned on, send a signal to websites you visit indicating that you do not wish to be tracked across websites over time. The Worldwide Web Consortium (W3C) has been working with industry groups and regulators to develop a DNT browser technology standard to provide a common understanding as to how to interpret the DNT signals, but to date no standard has been adopted. Since there is no standard at this time, the Project does not currently respond to DNT signals. The Project will follow the progress of the W3C in developing the standard.

Data Retention. We retain personal information for as long as needed or permitted in light of the purpose(s) for which it was obtained and consistent with applicable law. The criteria used to determine our retention periods include:

- The length of time we have an ongoing relationship with you and provide the Services to you (for example, for as long as you have an account with us or continue to use the Services);
- Whether there is a legal obligation to which we are subject (for example, certain laws require us to keep records of your transactions for a certain period of time before we can delete them); or
- Whether retention is advisable in light of our legal position (for example, in light of applicable statutes of limitations, litigation or regulatory investigations).

Linked Services. The Project Online Services may also be linked to sites operated by third parties, and may carry advertisements or offer content, functionality, or applications developed and maintained by third parties. Some of these third-party sites may be co-branded with a Project logo, even though they are not operated or maintained by us.

The Project is not responsible for the privacy practices of any such third parties, and once you leave the Project Online Services or click an advertisement, or sign up for a special offer, you should check the applicable privacy policy of the other service.

9. INTERNATIONAL TRANSFERS

The Project is headquartered in the United States. The information you provide to us or that we obtain as a result of your use of the Services is collected in your country and subsequently transferred to the United States or to another country in which we have facilities or our affiliates operate or in which we engage service providers.

Some countries that are not members of the European Economic Area (EEA) are recognized by the European Commission as providing an adequate level of data protection according to EEA standards (the full list of these countries is available [here](#)). For transfers from the EEA to countries not considered adequate by the European Commission, we have put in place adequate measures, including by ensuring that the recipient is bound by EU Standard Contractual Clauses, to protect your personal data. To obtain a copy of these measures click [here](#).

In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access your personal information.

10. CONTACT US

If you have questions about this Privacy Policy, please contact us by email to privacy@windwardfund.org or by mail to 1828 L. Street, NW NW, Suite 300-C, Washington, DC 20036.

We ask that you not disclose any sensitive Personal Information (e.g., social security numbers, information related to racial or ethnic origin, health, criminal background or trade union membership) when contacting us.

11. UPDATES TO PRIVACY POLICY

The Project may modify this Privacy Policy. Please look at the Effective Date at the top of this Privacy Policy to see when this Privacy Policy was last revised. Any changes to this Privacy Policy will become effective when we post the revised Privacy Policy on the Project Online Services. Your use of the Project Online Services or your provision of personal information to us following these changes means that you accept the revised Privacy Policy.