



Privacy Policy

Date Effective: July 15, 2023

Switch Fitness and its affiliated companies (Hereinafter referred to as “Switch Fitness”) value its users’ privacy. This Privacy Policy will help you understand how we collect our user personal information from those who visit our website or make use of our online programs, resources, and services, and what we will and will not do with the information we collect. Our policy has been designed and created to ensure those affiliated with Switch Fitness of our commitment and realization of our obligation not only to meet, but to exceed, most existing privacy standards.

We reserve the right to make changes to this policy at any given time. If you want to make sure that you are up to date with the latest changes, we advise you to frequently visit this page. If at any point in time Switch Fitness decides to make use of any personally identifiable information on file in a manner that is vastly different from that which was stated when this information was initially collected, the user or users shall be promptly notified by email. Users at that time shall have the option as to where to permit the use of their information in this separate manner.

This policy applies to Switch Fitness and its affiliated companies, including Switch Fitness and this Challenge. This policy governs all data collection and usage by Switch Fitness and its affiliates. With our website, social media pages, social media group pages, and all other digital, virtual, online content distributed by Switch Fitness and its affiliates, you are consenting to the data collection procedures expressed in this policy.

Please note that this policy does not govern the collection and use of information by companies that Switch Fitness does not control, nor by individuals not employed or managed by us. If you visit a website that we mention or link to be sure to review its privacy policy before providing the site with information. It is highly recommended that you review the privacy policies and statements of any website you choose to use or better understand the way in which websites garner and make use of and share the information collected.

Specifically, this policy will inform you of the following.

1. What personally identifiable information is collected from you through our website.
2. Why we collect personally identifiable information and the legal basis for such collection.
3. How we use the collected information and with whom it may be shared.
4. What choices are available to you regarding the use of your data; and
5. The security procedures in place to protect the misuse of your information.

Information We Collect

It is always up to you whether to disclose personally identifiable information to us, although if you elect not to do so, we serve the right to not register you as a user or provide you with any products or services. This website collects various types of information such as:

- Voluntarily provided information which may include your name, address, email address, billing and/or credit card information, etc. which may be used when you purchased products and/or services you have requested.
- Information automatically collected when visiting our website. Which may include cookies, third party tracking technologies and server logs.

In addition, Switch Fitness may have the occasion to collect non-personal anonymous demographic information such as age, gender, household income, political affiliation, race, and religion, as well as what type of browser you are using, IP address, or type of operating system, which will assist us in providing and maintaining superior quality service.

Switch Fitness may also deem it necessary, from time to time, to follow websites that our users may frequent to glean what types of products and services may be the most popular to our customers or to the general public.

Please rest assured that this site will only collect personal information that you knowingly and willingly provide to us by way of surveys, completed forms, and emails. It is the intent of this site to use personal information only for the purposes for which it was requested, and any additional uses specifically provided for in this policy.

Why We Collect Information and For How Long

We are collecting your data for several reasons:

- To better understand your needs and provide you with the products and services you have requested.
- To fulfill your legitimate interest in improving our products and services.
- To send you promotional emails containing information we think you may like, when we have your consent to do so.
- To contact you to fill out surveys or participate in other types of market research when you have your consent to do so.
- To customize our website according to you your online behavior and personal preferences.

The data we collect from you will be stored for no longer than necessary. The length of time we retain said information will be determined upon the following criteria: the length of time your personal information remains relevant; the length of time it is reasonable to keep records to demonstrate that we have fulfilled our duties and obligations; any limitation periods within associations; the type of contract we have with you, the existence of your consent, and our legitimate interest in keeping such information as stated in this policy.

Use of Information We Collect

Switch Fitness does not sell, rent, or lease any of its customer lists and/or names to any third parties.

Switch Fitness may collect and make use of personal information to assist in the operation of our website and to ensure delivery of the services you need and request. At times, we may find it necessary to use personally identifiable information to keep you informed of other possible products and/or services that may be available to you from our website(s), social pages or other digital assets that we own, control, or manage.

Switch Fitness may also be in contact with you regarding completing surveys and/or research questionnaires related to your opinion of current or potential products or services that may be offered.

Switch Fitness uses various third-party social media features and programs that may collect your IP address and required cookies to work properly. These services are governed by the privacy policies of the providers.

Disclosure of Information

Switch Fitness may not use or disclose the information provided by you except under the following circumstances:

- As necessary to provide services and products you have ordered.
- In other ways described in this policy or to which you have otherwise consented.
- In the aggregate with other information in such a way so that your identity cannot reasonably be determined.
- As required by law, or in response to a subpoena or search warrant.
- To outside auditors who have agreed to keep the information confidential.
- As necessary to enforce the Terms of Service.
- As necessary to maintain, safeguard and preserve all rights and property of Switch Fitness.

Non-Marketing Purposes

Switch Fitness greatly respects your privacy. We do maintain and reserve the right to contact you if needed for non-marketing purposes (such as big alerts, security breaches, account issues, and/or changes in Switch Fitness products and services). In certain circumstances we may use our website, newspapers, or other public means to post a notice.

Children Under the Age of 13

Switch Fitness website is not directed to and does not knowingly collect personal identifiable information from children under the age of 13. If it is determined that such information has been inadvertently collected on anyone under the age of thirteen, we shall immediately take the necessary action to ensure that such information is deleted from our system's database, or in the alternative, that verifiable parental consent is obtained for the use and storage of such information. Anyone under the age of 13 must seek and obtain parent or guardian permission to use this website.

Unsubscribe or Opt-Out

All users and visitors to our website have the option to discontinue receiving communications from us by way of email or newsletters. To discontinue or unsubscribe from our website please send an email that you wish to unsubscribe to support@switchfit.me If you wish to unsubscribe or opt-out from any third-party website, you must go to that specific website to unsubscribe or opt-out. Switch Fitness will continue to adhere to this policy with respect to any personal information previously collected.

Links to Other Websites

Our website does contain links to affiliate and other websites. Switch Fitness does not claim nor accept responsibility for any privacy policies, practices, and/or procedures of other such websites. Therefore, we encourage all users and visitors to be aware when they leave our website to read the privacy statements of every website that collects personally identifiable information. This privacy policy agreement applies only to the information Switch Fitness collects.

Notice to European Union Users

If you provide information to us, the information will be transferred out of the European Union to the United States. (The adequacy decision on the EU-US Privacy became operational on August 1, 2016. This framework protects the fundamental rights of anyone in the EU whose personal data is transferred to the United States for commercial purposes. It allows the free transfer of data to companies that are certified in the US under the Privacy Shield) By providing personal information to us, you are consenting to its storage and use as described in this policy.

SMS Messaging

We may use your telephone number for the purpose of sending you SMS messaging for marketing purposes; to share free content with you, such as articles and videos; to announce the launch of new products and services; and to provide you with access to your group, dashboard, downloads, or account if you have opted in to receive such messaging. You may opt out from receiving SMS messaging from us, at any time, by responding STOP to any of our messages. Messaging will be sent by an automated messaging system. We do not share your telephone number with third parties for the purposes of receiving third party marketing messages. We will not send messages to you promoting the goods or services from of third parties.

Security

Switch Fitness takes precautions to protect your information. When you submit sensitive information via the website, your information is protected both online and offline, wherever we collect sensitive information (e.g., credit

card information), that information is encrypted and transmitted to us in a secure way. You can verify this by looking for the lock icon in the address bar and looking for “https” at the beginning of the address of the webpage.

While we use encryption to protect sensitive information transmitted online, we also protect your information offline. Only employees who need information to perform a specific job (for example, billing or customer service) are granted access to personally identifiable information. The computers and servers in which we store personally identifiable information are kept in a secure environment. This is all done to prevent any loss, misuse, unauthorized access, disclosure, or modification of the user’s personal information under our control.

Switch Fitness also uses Secure Socket Layer (SSL) for authentication and private communications to build user’s trust and confidence in the internet and website by providing simple and secure access and communication for credit card and personal information.

Acceptance of Terms

By using this website, you are hereby accepting the terms and conditions stipulated within the privacy policy agreement. If you are not in agreement with our terms and conditions, then you should refrain from further use of our sites. In addition, your continued use of our websites following the posting of any updates or changes to our terms and conditions mean that you agree and accept such changes.

Your California Privacy Rights

This section describes certain rights available to you if you are a California resident (the “California Notice”). When we refer to personal information in this California Notice, we mean any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual that interacts with us, through use of our Sites or otherwise.

CCPA: Beginning January 1, 2020, the California Consumer Privacy Act of 2018 (“CCPA”) provides California residents with certain rights and choices regarding our use and disclosure of your personal information, as described below:

- Access: You have the right to request, twice in a 12-month period, that we disclose to you
- Our personal information collection practices during the prior 12 months, including the categories of personal information we collect, the categories of sources of such information, our business purpose for collecting or sharing such information, and the categories of third parties with whom we share such information
- Our information sharing practices during the prior 12 months, including a list of the categories of personal information sold with the category of third-party recipients and a list of the categories of personal information that we disclosed for a business purpose
- The specific pieces of information we collected about you in the prior 12 months
 - Deletion: You have the right to request that we delete certain personal information we have collected from you, subject to certain exceptions provided under CCPA, such as where the information is necessary for us to complete your transaction or perform a contract between you and us.
- Opt-Out of Sale: You have the right to opt-out of the ‘sale’ of your personal information.

During the last 12 months, we have collected the following categories information from you: Identity information, Commercial information, Sensitive information, protected classification information, education/employment information, electronic network activity Biometric information, geolocation data, sensory information, and inferences of the foregoing.

We collect and use your personal information for the reasons described in the “Disclosure of Personal Information” section above. We also may use your personal information for the following business purposes specified in the CCPA:

- performing services (Identity information, sensitive information, electronic network activity information, geolocation data, biometric and sensory data, and inferences of the foregoing);
 - auditing related to a current interaction with you and concurrent transactions (Identity information, commercial information, sensitive information, electronic network activity information, geolocation data, biometric and sensory data, and inferences of the foregoing);
- certain short-term, transient uses (Identity information, sensitive information, electronic network activity information, geolocation data, biometric and sensory data, and inferences of the foregoing);
 - detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, or prosecuting those responsible for that activity (Identity information, sensitive information, electronic network activity information, geolocation data, biometric and sensory data, and inferences of the foregoing);
 - debugging to identify and repair errors that impair existing intended functionality (electronic network activity information, geolocation data, and inferences of the foregoing);
- undertaking internal research for technological development and demonstration; (Identity information, electronic network activity information, geolocation data, and inferences of the foregoing) and
- undertaking activities to verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, manufactured for, or controlled by us (Identity information, electronic network activity information, geolocation data, biometric and sensory data and inferences of the foregoing).

We share personal information with the following categories of third parties

- To our third-party service providers, vendors or agents who provide services to or on behalf of Switch Fitness or its members such as, but not limited to, hosting, data management and storage services, marketing assistance, operating our online store and payment processing, sweepstakes providers, employee benefits providers and retention services. (Identity information, Commercial information, Sensitive information, protected classification information, education/employment information, geolocation data, and inferences of the foregoing)
 - To current and future parent companies, subsidiaries, and affiliated entities of Switch Fitness; (Identity information, Commercial information, Sensitive information, protected classification information, education/employment information, electronic network activity Biometric information, geolocation data, sensory information, and inferences of the foregoing)
 - In connection with a merger, sale of assets, corporate reorganization or similar business transaction involving Switch Fitness, its parents, subsidiaries, affiliates or one or more of its franchisees; (Identity information, Commercial information, Sensitive information, protected classification information, education/employment information, electronic network activity Biometric information, geolocation data, sensory information, and inferences of the foregoing)
 - To comply with the law, applicable regulations, governmental and quasi-governmental requests, court orders or subpoenas, to enforce our Terms of Use or other agreements, or to protect our rights, property or safety or the rights, property or safety of our users or others (e.g., to a consumer reporting agency for fraud protection etc.); (Identity information, Commercial information, Sensitive information, protected classification information, education/employment information, electronic network activity Biometric information, geolocation data, sensory information, and inferences of the foregoing)
 - To third parties for their marketing purposes. (Identity information, Commercial information, electronic network activity, geolocation data, sensory information, and inferences of the foregoing)

We may have disclosed to third parties the following categories of personal information for a business purpose.

- Identifiers, Characteristics of protected classifications,
- Commercial information, Biometric information, Online activity, Geolocation data, Sensory information, Professional or employment information, Inferences of the foregoing, Sensitive information such as personal information described in Section 1798.80(e) of the California Civil Code, such as signature, physical characteristics, payment card information and state ID card numbers

Switch Fitness does not sell your personal information for monetary compensation. We may allow certain third parties such as advertising partners to collect your personal information via automated technologies like “cookies” and “web beacons” on our Sites or share your personal information with certain affiliated companies or promotional partners, in exchange for non-monetary consideration such as an enhanced ability to serve you content and advertisements that may be of interest to you. These disclosures may be considered a “sale” under California law. You have the right to opt out of this disclosure of your information, as detailed in this California Notice. We do not sell personal information of individuals we know are less than 16 years of age

During the twelve (12) month period prior to the effective date of this California Notice, we may have “sold” the following categories of personal information.

- Identifiers
- Characteristics of protected classifications
- Commercial information
- Online activity
- Sensory information
- Inferences

How to Submit a CCPA Request: To submit a request under the CCPA, please send us an email at support@switchfit.me. You may also manage your browser preferences by adjusting your browser settings. If you choose to exercise any of your rights under the CCPA, you have the right to not receive discriminatory treatment by us.

You may submit your request through an authorized agent; however, if you designate an authorized agent, we will require you and/or the authorized agent to provide to us written proof of their authorization to act on your behalf. We will acknowledge receipt of your request for disclosure or deletion within 10 days and will endeavor to respond within forty-five days of receipt of your request, but if we require more time (up to an additional forty-five days) we will notify you of our need for additional time. For requests that we not sell your information we will comply with your request within 15 days. We cannot respond to your request or provide you with personal information if we cannot verify your identity and confirm that the personal information relates to you.

For requests for a copy of the personal information we have collected during the 12 months prior to your request we will endeavor to provide the information in a format that is readily useable, including by mailing you a paper copy or providing an electronic copy to your registered account, if you have registered an account with us.

For requests for deletion of your information please understand that California law permits us to retain certain information and not to delete it under certain circumstances. By way of example, we are not required to comply with a request to delete information if the information is necessary for us to complete a transaction for you or otherwise perform a contract; to detect, protect against, or prosecute security incidents, fraud or illegal activity; to use the information only internally in ways reasonably aligned with your expectations as our customer (such as maintaining sales records), and to comply with legal obligations. If we receive such a request from you, we will notify any service providers we have engaged to delete your information as well. Verifying Requests: To help protect your privacy and maintain security, we will take steps to verify your identity before granting you access to your personal information or complying with your request. To verify your identity when you request access to or deletion of your personal information, we may require you to provide certain information which we can match to information we already have on-file about you based on the type of relationship you have with us.

In addition, if you exercise your right to request specific pieces of your personal information or to delete your information, we will require you to sign a declaration under penalty of perjury that you are the consumer whose personal information is the subject of the request.

Shine the Light Requests: You also have a right to request that we provide you with (a) a list of certain categories of personal information we have disclosed to third parties for their direct marketing purposes during the immediately preceding calendar year and (b) the identity of those third parties. You may make one request per calendar year, and the information may be provided in a standardized format which is not specific to you individually. In your request, please attest to the fact that you are a California resident and provide a current California address for your response. You may request this information in writing by contacting us at: Switch Fitness N761 Stanley Dr Fremont, WI 54940 or at support@switchfit.me with the subject line: California Privacy Rights. Please allow up to thirty (30) days for a response.

Erasure Requests: If you are a California resident under the age of 18 and a Switch Fitness member with a digital account, you may request and obtain removal of content or information you have publicly posted on the Sites. To make this request, please email us at support@switchfit.me and include a detailed description of the specific content or information you would like to remove. Please note that this removal does not ensure complete or comprehensive removal of the content or information posted on the Sites by you as there may be circumstances in which the law does not require or allow removal.

Your California Privacy Rights

California Civil Code § 1798.83 permits residents of California to request from Switch Fitness a notice disclosing: (1) the categories of personal information we have shared with third parties, if any, for the third parties' direct marketing purposes, during the preceding calendar year, and (2) the names and addresses of those third parties. To make such a request, please contact us at support@switchfit.me.

How To Contact Us

If you have any questions or concerns regarding the privacy policy agreement related to our websites, please feel free to contact us at the following email or mailing addresses:

support@switchfit.me

Switch Fitness
N761 Stanley Dr
Fremont, WI 54940