

<INSURANCE POLICY>
PRIVACY VIOLATION CLAUSE

- I. Clause II. Definitions H. “**Inappropriate Employment Conduct**” of the Employment Practices Liability Clause is amended to include any **Privacy Violation**.

II. DEFINITIONS

The following terms whenever used in this Clause in boldface type shall have the meanings indicated. Terms not defined below, but appearing in boldface type shall have the meanings indicated in the applicable Clause.

- A. “**Breach Notice Law**” means any state, federal or foreign statute or regulation that requires notice to persons whose **Personally Identifiable Non-Public Information** was accessed or may reasonably have been accessed by an unauthorized person.
- B. “**Personally Identifiable Non-Public Information**” means information about an **Employee** obtained by the **Insured** solely in its capacity as the employer of such individual. **Personally Identifiable Non-Public Information** does not include any information obtained by the **Insured** in any other capacity including without limitation information obtained as the result of the **Employee** being a customer of the **Insured**.
- C. “**Privacy Policy**” means the internal or publicly accessible written documents that set forth the **Insured Organization’s** policies, standards and procedures for collection, use, disclosure, sharing, dissemination and correction or supplementation of, and access to, **Personally Identifiable Non-Public Information**.
- D. “**Privacy Violation**” means:
1. theft of **Personally Identifiable Non-Public Information** that is in the care, custody or control of the **Insured Organization**, or an independent contractor that is holding or processing such information on behalf of the **Insured Organization**;
 2. the **Insured Organization’s** failure to timely disclose a incident or event triggering a violation of any **Breach Notice Law**;
 3. failure by the **Insured** to comply with that part of a **Privacy Policy** that specifically:
 - a. prohibits or restricts the **Insured Organization’s** disclosure, sharing or selling of an **Employee’s Personally Identifiable Non-Public Information**;
 - b. requires the **Insured Organization** to provide access to **Personally Identifiable Non-Public Information** or to correct incomplete or inaccurate **Personally Identifiable Non-Public Information** after a request is made by an **Employee**; or
 - c. mandates procedures and requirements to prevent the loss of **Personally Identifiable Non-Public Information**.