

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION

CORPORATE POLICY 6.08

CONFIDENTIAL/PROPRIETARY INFORMATION

Chapter: 6.0 – Personnel Policies
Section: 6.08 - Confidential/Proprietary Information
Effective Date: November 17, 2010

1.0 PURPOSE

1.1 To establish a policy for safeguarding information of the CORPORATION and its employees.

2.0 EFFECTIVE DATE AND AMENDMENTS

2.1 This Policy shall be effective upon the approval by the BOARD. This Policy may only be amended by approval of the BOARD.

3.0 PROCEDURES

3.1 The President or his/her designee is authorized to establish and disseminate administrative procedures to implement this BOARD POLICY, as applicable.

4.0 POLICY

4.1 The information developed or acquired as an employee of the CORPORATION involves Confidential/Proprietary Information. Confidential/Proprietary Information is an important asset of the CORPORATION. Because of its value and competitive importance, Confidential/Proprietary Information must be protected through reasonable and prudent measures. The PRESIDENT and his/her designee shall develop guidelines and procedures for safeguarding the CORPORATION's Confidential/Proprietary Information.

4.1.1 Confidential/Proprietary Information may consist of any information used to obtain an advantage over competitors that do not know of or use the information, including, but not limited to, information relating to the development of our services, client lists, developments and processes, "know-how," operational methods, attorney-client communications, customer information, business relationships, plans for future developments, purchasing, accounting, merchandising or licensing, computer software and databases, programming,

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scripts, and applets, as well as every document, computer disk, computer program, e-mail, notation, record, diary, memorandum, or other tangible material containing these kinds of information whether or not marked as "confidential" or "proprietary."

- 4.1.2 Portions of the information listed above may circulate through the CORPORATION in many ways. It may be found in documentation or electronic media. Some of the information will necessarily be found in other forms, such as day-to-day business practices and communications. The procedures for handling confidential information thus apply equally to all Confidential/Proprietary Information, regardless of the form.
- 4.1.3 The policy is "clean desk," "locked file cabinets and desk drawers." Confidential/Proprietary Information should be secured and be stored in a suitable locked file cabinet or desk to prevent unauthorized disclosure of the contents.
- 4.1.4 Access to Confidential/Proprietary Information through the use of computer terminals must be restricted under a security system that requires user identification codes and personal passwords. No such computer terminal is to be left unattended while "signed on" to the network or any database or program. Employees will be held responsible for all transactions occurring using their user identification codes and personal passwords. Laptop users are cautioned to protect their computers from unauthorized access and use. If your laptop is lost or stolen, report the incident immediately to the IT Manager.
- 4.1.5 Whenever reasonably practical, confidential materials should be systematically destroyed by shredding (or, in the case of computer programming code that is kept on internal memory or hard disk, by erasure) at appropriate times. The CORPORATION attempts to monitor the disposal of items thrown away in open waste containers as normal trash, but the risk of an inadvertent public release should be curbed.
- 4.1.6 Whenever there is a need to share Confidential/Proprietary Information with nonemployees, including contractors, suppliers, and potential customers a Non-

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Disclosure/Confidentiality Agreement shall be signed. Please keep in mind that employees are not authorized to sign any Non-Disclosure/Confidentiality Agreements or review any unsolicited disclosure materials received from outside of the CORPORATION.

- 4.1.7 Creating or storing Confidential/Proprietary Information on a home personal computer is forbidden. You may not copy Confidential/Proprietary Information to any form of removable media (*e.g.*, thumb drives, ZIP disks, tape backup, CDs) without prior authorization from your supervisor. In the event Confidential/Proprietary Information is reduced to printed form, all copies of such printouts must be returned to the CORPORATION. Papers containing Confidential/Proprietary Information that are no longer needed may not be disposed of at home. All such papers must be returned to the CORPORATION for proper destruction.
- 4.1.8 Employees shall make all efforts to avoid infringing on the intellectual property rights of others. The CORPORATION has no intention of obtaining by illegal means, misappropriating or obtaining by fraud, artifice or deception, any confidential information or trade secrets of others. Employees shall not solicit, possess, use, copy or distribute any confidential information of competitors and others. If you obtain trade secrets or confidential information of a competitor, you must immediately inform the PRESIDENT who will contact legal counsel.
- 4.1.9 Employees shall be required to read and sign a Confidentiality Agreement which can be obtained from the Human Resources Manager. Violation of the Confidentiality Agreement is grounds for immediate termination.
- 4.2 The PRESIDENT or his/her designee shall maintain a personnel file for each employee. Employees shall have the right to review their personnel files, authorize review by their representative and shall be allowed copies of certain materials contained therein as provided by state law.
 - 4.2.1 The employees' personnel files shall be considered confidential. The PRESIDENT or his/her designee shall only release information to third parties when lawfully

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ordered to do so, to other government agencies in the conduct of official business, or to creditors or other persons upon proper identification of the inquirer and if authorized by the employee. Any records relating to the investigation of a possible criminal offense or letters of reference are excluded from this policy.

- 4.2.2 Immediate supervisors of employees, potential supervisors (within the CORPORATION) considering employees for internal positions, and department managers may have access to employee personnel files with proper approval.
- 4.2.3 Employee medical records are maintained separately from the employee's personnel file and will not be available to supervisors as a basis of forming recommendations for promotions or similar personnel actions. The employee or employee's representative, with written authorization from the employee, may examine the employee's medical records. Employee medical records and related work files shall be considered confidential. The CORPORATION shall release an employee's medical records upon written authorization from the employee, or as otherwise legally permitted.
- 4.2.4 Each employee is responsible for keeping personal information within their personnel file current and updated as necessary. Immediate notification, in writing to the Human Resources Manager, of any change of home address or telephone number, change of family status, change of beneficiary, or number of withholding exemptions, is required.
- 4.2.5 It is the policy of the CORPORATION in response to employment reference or verification requests to provide only dates of employment and the position held by a current or former employee. Salary information may be released with the employee's written authorization. Following separation from the CORPORATION, the personnel, medical records and other working files related to an employee may be consolidated for record-keeping purposes. Information other than confirmation of dates of employment, final pay range and job title shall not be provided in response to employment reference checks or creditor inquiries. All inquiries shall be directed to the Human Resources Manager.