

Privacy Notice for California Residents

Last Updated: May 4, 2023

This Privacy Notice is provided on behalf of PHL Variable Insurance Company (PHL). This privacy notice is for our customers, users and website visitors who are California consumers, as defined below. This **“California Privacy Notice”** supplements the information contained in the Privacy Statement located at www.phlvariable.com (the **“Privacy Policy”**).

1. Overview of this California Privacy Notice

The California Consumer Privacy Act of 2018 (**“CCPA”**) gives California consumers certain privacy rights related to their personal information. This document describes the rights that California consumers may have under the CCPA.

What is “personal information”?

For the purposes of this California Privacy Notice, **“personal information”** is defined as information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California consumer or California household. For purposes of this California Privacy Notice, personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated information.
- Other regulated information that is excluded from the CCPA's scope, such as personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (**FRCA**), the Gramm-Leach-Bliley Act (**GLBA**) or California Financial Information Privacy Act (**FIPA**).

What information is excluded from this California Privacy Notice?

As mentioned previously, the CCPA does not cover personal information that is subject to the GLBA. Therefore, this California Privacy Notice excludes information we collect about you that is subject to the GLBA, such as information that we collect about California residents who apply for or obtain insurance products from us. For more information about how we collect, use and disclose this information, please refer to our Privacy Statement located at www.phlvariable.com.

Who are “California consumers”?

A **“California consumer”** is a natural person who resides in California. For the purposes of this California Privacy Notice, a California consumer does not include persons to the extent they are (i) acting as an employee, owner, director, officer or contractor of a company, partnership, sole proprietorship, nonprofit or government agency that is doing business with PHL or (ii) acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of PHL.

2. How we collect, use, and share personal information

PHL collects personal information from visitors to our website in different ways and for different purposes, as described further on the next page. The table on the next page describes the categories of personal information we may collect and that we may have collected about California consumers in the twelve (12) months prior to the date of this California Privacy Notice, the sources from which we may have collected that personal information, the purposes for which we may use and may have used that personal information, and the third parties with whom we may have shared that personal information. It is important to note that the types of personal information we collect will depend on your interaction with us, including the types of products or services you use.

Category of Personal Information Collected	Categories of Source(s) from which Personal Information was Collected	Business or Commercial Purpose(s) for which Personal Information was Collected or Used	Categories of Third Parties with whom Personal Information was Shared
Consumer Preferences and Website Postings.	Product preferences, advertisement preferences, and other information about how you use our website. Content you submit or post on our website such as photographs, videos, reviews, articles, comments, or any other information you provide us to post.	Offer you products and services; Establishing and verifying the identity and eligibility of website users; Opening, maintaining, administering, managing, and servicing website user profiles, accounts or memberships.	PHL affiliate companies and service providers.
Records and copies of your correspondence if you contact us.	Emails, letters, supplemental documentation you send to us.	Respond to your inquiries.	PHL affiliate companies and service providers.

In addition to the uses described above, PHL may also use or share your personal information:

- To comply with applicable laws and regulatory requirements, or as requested by government or regulatory authorities or law enforcement.
- Maintaining the security and integrity of our systems, including maintaining internal records.
- With our attorneys, accountants and auditors.
- In connection with pending litigation.
- In connection with a merger, divestiture, acquisition, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.
- To detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, and prosecute those responsible for that activity.

3. Sharing or Selling Personal Information

CCPA defines “sell” as disclosing, transferring, making available, or otherwise communicating personal information with a third party even in the absence of monetary compensation, while “sharing” is defined as disclosing, transferring, or otherwise communicating personal information to a third party for cross-context behavioral advertising, or targeted advertising. PHL does not sell or share the personal information of California consumers. We do not have actual knowledge that we sell any Personal Information about individuals that are under sixteen (16) years old.

4. CCPA Rights for California Consumers

The CCPA provides California consumers with certain rights with regard to their personal information. This Section explains those rights. If you are a California consumer and would like to exercise any of those rights, please see section below on the next page for more information on how to submit a request.

As mentioned above, the CCPA does not cover personal information that is subject to the GLBA. Therefore, this California Privacy Notice excludes information we collect about you that is subject to the GLBA, such as information that we collect about California residents who apply for or obtain insurance products from us. Rather, the rights described in this Section only apply to personal information we collect in order to offer you products and services, conduct special events, sweepstakes, surveys, programs, contests, and other offers (and communicating with you about such events). For more information about how we collect, use and disclose this information, please refer to our Privacy Policy at www.phlvariable.com.

- **Right to Know.** If you are a California consumer, you may have the right to request that PHL provide you with information regarding what personal information about you we have collected, used, disclosed, or sold in the preceding twelve (12) months. You may only make a consumer request to know about or access your personal information twice within a twelve (12)-month period.
- **Right to Delete.** If you are a California consumer, you may have the right to request that PHL delete certain of your personal information that we have collected from you. However, this right to deletion does not apply to any of your personal information that is subject to an exception under the CCPA.
- **Right to Correct.** If you are a California consumer, you may have the right to request that we correct inaccurate personal information that we maintain about you, taking into account the nature of the personal information and the purposes of the processing.
- **Right to Opt-Out of Sale or Sharing.** If you are a California consumer, you may have the right to opt-out of the sale of your personal information. As indicated above though, PHL has not sold the personal information of California consumers in the preceding twelve (12) months and will not sell personal information of California consumers without further notice. Therefore, this obligation does not apply to us because we do not sell your personal information. If we change our practices in the future for any new information that we collect from you, we will notify you by updating this Privacy Policy.
- **Right to Limit Use and Disclosure of Sensitive Personal Information.** If you are a California consumer, you may have the right to request that we limit the use of your sensitive personal information. However, this right does not apply if sensitive personal information is used for limited purposes as recognized in the CCPA. As indicated, we only use and disclose sensitive personal information for such limited purposes, and this right does not apply.

PHL will not discriminate against any California consumer who exercises any of the rights described above. Specifically, except as permitted by the CCPA, we will not deny you goods or services; charge you different prices or rates, including through granting discounts or other benefits, or imposing penalties; provide you with a different level of service or quality of goods or services; or suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Additionally, California's Civil Code Section § 1798.83 permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. We do not share your personal information to third parties for direct marketing purposes. If you have any questions about this right or personal information we have collected about you, please contact compliance@phlvariable.com or 1-800-813-8180.

How to submit a request

If you are a California consumer and would like to exercise any of the CCPA rights identified above, you may submit a request by either completing a request on www.phlvariable.com, sending an email to compliance@phlvariable.com or by calling us at 1-800-813-8180.

Submitting a request through your authorized agent

If you are a California consumer, you may have the option to designate an authorized agent to submit a request on your behalf, so long as the authorized agent has your written permission to do so and you have taken steps to verify your identity directly with us. If you would like to designate an agent, your agent must register as such with the California Secretary of State and submit a copy of this registration along with your consumer request to us. We may need to contact you directly to verify the request.

How we verify your request

We cannot fulfill your request to provide you with or delete your personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable consumer request does not require you to create an account with us.

To verify your identity, we will ask that you provide the following information when you submit your request:

- Name
- Address
- Date of Birth
- Email Address
- Policy Number (if applicable)

Depending on your type of request or the information requested by you, we may require additional information in order to verify your identity and fulfill your request. If we cannot successfully verify your identity, we will inform you of that fact.

We will respond to your request within forty-five (45) calendar days. However, in certain circumstances, we may require additional time to process your request, as permitted by the CCPA or other applicable law. We will advise you within forty-five (45) calendar days after receiving your request if such an extension is necessary and why it is needed. Any disclosures we provide will only cover the twelve (12) month period preceding our receipt of your request. If we cannot fulfill your request, our response to you will also explain the reason why we cannot fulfill your request.

We do not charge a fee to process or respond to your consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

5. Contact for more information

If you have any questions or concerns about this California Privacy Notice or our privacy practices, or to request this California Privacy Notice in another format, please contact compliance@phlvariable.com or 1-800-813-8180.