



This modified version of Upwork's Privacy Policy is effective December 20, 2023.

Click [here](#) to review the current Privacy Policy.

This Privacy Policy explains how and why Upwork collects, uses, and shares personal information when you interact with or use our Site or Service. It also includes any information Upwork collects offline in connection with the Service, which we may combine with information from the Site and Service. By reading this Privacy Policy, you will understand your privacy rights and choices.

When we say “**Upwork**”, we mean Upwork Global Inc., and any of its affiliates, including Upwork Payments, Inc. When we say “**Site**”, we mean [www.upwork.com](http://www.upwork.com), and when we say “**Service**”, we mean the Site plus any websites, features, applications, widgets, or online services owned or controlled by Upwork and that post a link to this Privacy Policy.

As part of the Service, Upwork provides a marketplace which results in platform information pertaining to different parties to an interaction. Users of the Service may be **Clients**, **Freelancers**, or **Agencies**, or **Site Visitors** (as each is defined in the [User Agreement](#)). This Privacy Policy applies to Upwork’s processing of personal information of Users where Upwork determines the purposes and means of processing. It does not apply to processing of information by Users themselves, who may be controllers of the personal information they access through the Service. For information about how Users process your personal information, please contact them directly.

**Accessibility:** This Privacy Policy uses industry-standard technologies and was developed in connection with the World Wide Web Consortium's Web Content Accessibility Guidelines, version 2.1. If you wish to print this policy, please do so from your web browser or by saving the page as a PDF.

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# 1. INFORMATION COLLECTION

## a. Information You Provide to Us

When you use the Service, you may provide us with information about you. This may include your name and contact information, financial information to make or receive payment for services obtained through the Upwork platform, or information to help us fill out tax forms. When you use the Service, we may also collect information related to your use of the Service and aggregate this with information about other users. This helps us improve our Services for you. You may also provide us with information about your contacts or friends if, for example, you'd like to add those contacts to a message room. Agencies may also provide us with information about Freelancers associated with the Agency.

Depending upon our relationship with you, we may collect the following categories and types of personal information from and about you:

Categories of Personal Information We Collect	Examples of Personal Information Collected	Categories of Sources of Personal Information	Business Purpose for Collection of Personal Information
<b>Identifiers</b>	Name, Date of Birth, Social Media Account Information, Profile Data, IP Address	Directly from You or Your use of the Service; Cookies and Other Tracking Technologies; Third Parties (such as affiliates, agents, service providers and other users)	Developing, Improving, and Providing the Service, Identification, Communications, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
<b>Contact / Account Profile Information</b>	Email Address, Home Address, Billing Address, Phone Number	Directly from You or Your use of the Service; Third Parties (such as affiliates, agents, service providers and other users)	Developing, Improving, and Providing the Service, Identification, Communicating with You, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
<b>Sensitive Personal Information / Government Issued Identification Numbers</b>	Social Security Number, Driver's License, State Identification or Passport Number, VAT Identification Number, Tax Identification Number, Immigration Status, Citizenship Information	Directly from You	Improving and Providing the Service, Verifying Your Identity and Detecting Fraud, Identity Theft, or Other Misuse of Your Account, Legal, Compliance and

			Regulatory Obligations.
<b>Commercial Information</b>	Transaction Data including services offered, considered, or purchased	Directly from You or Your use of the Service; Third Parties (such as affiliates, agents, service providers and other users)	Developing, Improving, and Providing the Service, Identification, Communications, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
<b>Financial Data/Payment Information</b>	Credit card or other financial account information	Directly from You or Your use of the Service; Third Parties (such as affiliates, agents, service providers and other users)	Improving and Providing the Service, Identification, Communications, Security, Legal, Compliance and Regulatory Obligations.
<b>Internet or Other Network or Device Activities Including Information from Cookies</b>	Unique device and app identifiers, browsing history or other usage data, the browser and operating system you are using, the URL or advertisement that referred you to the Service, the search terms you entered into a search engine that led you to the Service, areas within the Service that you visited, which links you clicked on, which pages or content you viewed and for how long, other similar information and statistics about your interactions, such as content response times, download errors and length of visits to certain pages and other information commonly shared when browsers communicate with websites	Directly from You or Your use of the Service; Cookies and Other Tracking Technologies; Third Parties (such as affiliates, agents, service providers and other users)	Developing, Improving, and Providing the Service, Identification, Communications, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
<b>Approximate Geolocation Information</b>	Your approximate location	Directly from You or Your use of the Service; Cookies and Other Tracking Technologies; Third Parties (such as	Developing, Improving, and Providing the Service, Identification, Communications,

		affiliates, agents, service providers and other users)	Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
<b>Sensory Information</b>	Audio recordings if you call our customer service, video recording (if you provide permission).	Directly from You or Your use of the Service; Service Providers; Third Parties (such as affiliates)	Providing and Improving the Service, Identification, Communications, Marketing, Security, Legal, Compliance and Regulatory Obligations.
<b>Platform Communications</b>	Communication Information (e.g., your name, contact information, and, with your consent, the contents of any messages you send)	Directly from You, Your use of the Service, and Users with whom you communicate	Developing, Improving, and Providing and Improving the Service, Security, Legal, Compliance and Regulatory Obligations.
<b>Professional Information</b>	Previous place(s) of employment, position(s), work history, earnings, resume	Directly from You or Your use of the Service; Service Providers; Third Parties (such as other users)	Developing, Improving, and Providing the Service, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
<b>Other information that identifies or can be reasonably associated with you</b>	User-generated content, (e.g., community posts, feedback, ratings and job postings), photographs, examples of your work, information on work previously performed via the Service and outside the Service, skills, tests taken, test scores, hourly pay rates and earnings information.	Directly from You or Your use of the Service; Service Providers; Third Parties (such as affiliates, agents, and other users)	Developing, Improving, and Providing the Service, Identification, Communications, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.

## b. Non-Identifying Information and De-Identified Information

- **Non-Identifying Information/Usernames:** We also may collect other information that does not identify you directly, such as zip codes, demographic data, information about your use of the Service, and general project-related data (“**Non-Identifying Information**”). We may combine information collected from Upwork users, whether they are registered or not (“**Upwork Users**”). In some cases, we may render Personal Information (generally, email address) into a form of Non-Identifying Information referred to in this Privacy Policy as “**Hashed**”

**Information.”** This is typically accomplished using a mathematical process (commonly known as a hash function) to convert information into a code. While the code does not identify you directly, it may be used by Upwork’s partners to connect your activity and interests.

- **Combination of Personal and Non-Identifying Information:** We may combine your Personal Information with Non-Identifying Information, but Upwork will treat the combined information as Personal Information.
- **De-Identified Information:** We may also de-identify or aggregate information and convert it into non-personal information so that it can no longer reasonably be used to identify you (“**De-Identified Information**”). We may use De-Identified Information for any of the purposes described in the “We Use Information We Collect” section below. We will maintain and use De-Identified Information in de-identified form and will not attempt to reidentify the information, except to confirm our de-identification processes or unless required by law.

## c. Information Collected Automatically

*Like other online companies, we receive technical information when you use our Services. We use these technologies to analyze how people use the Service, to improve how our Site functions, to save your log-in information for future sessions, and to serve you with advertisements that may interest you.*

Upwork and its partners use cookies or similar technologies to analyze trends, administer the website, track users’ movement around the website, the desktop app, and the mobile app, and to gather demographic information about our user base as a whole. The technology used to collect information automatically from Upwork Users may include cookies, web beacons, and embedded scripts. In addition, we and our marketing partners, affiliates, analytics, and service providers may use a variety of other technologies (such as tags) that collect similar information for security and fraud detection purposes and we may use third parties to perform these services on our behalf.

For further information on cookies and how they are used for the Service, please visit our Cookie Policy at [www.upwork.com/legal#cookie-policy](http://www.upwork.com/legal#cookie-policy).

## d. Work Diaries and Work View

*With your permission, we collect information about a Freelancer’s work for a Client, including automatically collected information about work on a particular project. If a Freelancer enables Work Diaries, we will share Work Diaries with the relevant Client and Agency. We tell Freelancers when we are capturing information for the Work Diary and allow Freelancers to block such data sharing.*

As part of the Service, when enabled by a Freelancer, we collect information about a Freelancer’s work on a project for a Client, including information that may be considered personal information. This feature is known as Work Diary. Work Diaries include information provided by the Freelancer, such as a memo, as well as automatically gathered information about work on a project, such as number of mouseclicks and keyboard strokes and regularly taken screenshots (which may include a webcam picture of you if you have enabled this feature in your settings). In order to use Work Diaries, you must download and install the Team App software from [www.upwork.com](http://www.upwork.com).

We will share information contained in Work Diaries with the relevant Client and with any manager or administrator of any applicable Freelancer Agency. We inform Freelancers each time we capture information for Work Diary. As set forth in our Terms of Service, End User License Agreement, and help pages on the Site, a Freelancer may choose to block or delete the screen shot and associated data for a recorded work interval, but then the Freelancer may not be paid for that work interval.

## e. Analytics Providers, Ad Servers and Similar Third Parties

*We may work with advertising agencies and vendors who use technology to help us understand how people use our Site. These vendors may use technologies to serve you advertisements that may interest you. You can choose to opt out of receiving certain interest-based advertising.*

Upwork works with (or may in the future work with) ad networks, ad agencies, analytics service providers and other vendors to provide us with information regarding traffic on the Service, including pages viewed and the actions taken when visiting the Service; to serve our advertisements on other websites, within mobile apps and elsewhere online; and to provide us with information regarding the use of the Service and the effectiveness of our advertisements. Our service providers may collect certain information about your visits to and activity on the Service as well as other websites or services, they may set and access their own tracking technologies on your device (including cookies and web beacons), and may use that information to show you targeted advertisements. Some of these parties may collect Personal Information when you visit the Service or other online websites and services. We may also share certain Non-Identifying Information with these parties, including Hashed Information, in connection with the services they provide to us. If you wish to opt out of interest-based advertising from participating companies, click [here](#) (or if located in the European Union, click [here](#)). You must opt out on each device and each browser where you want your choice to apply. If you choose to opt out, please note you will continue to receive advertisements, but they may be less relevant to you.

While we may use a variety of service providers to perform advertising services, some of these companies are members of the Network Advertising Initiative (“NAI”) or the Digital Advertising Alliance (“DAA”) Self-Regulatory Program for Online Behavioral Advertising. You may want to visit [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp), which provides information regarding targeted advertising and the “opt-out” procedures of NAI members. You may also want to visit <http://www.aboutads.info/choices/>, which provides information regarding targeted advertising and offers an “opt-out” by participating companies in the DAA Self-Regulatory Program.

## f. Do Not Track Signals and GPC

Please note that your browser setting may allow you to automatically transmit a “Do Not Track” signal to websites and online services you visit. Upwork does not generally alter its practices when it receives a “Do Not Track” signal from a visitor’s browser. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

Global Privacy Control (GPC) is a technical specification that you can use to inform websites of your privacy preferences regarding ad trackers. If you do choose to set up GPC, it may impact the functionality of the Site, but we honor the GPC signal on a per-browser basis automatically in your cookie preferences.

## g. Children

The Service is general audience and intended for users 18 and older. We do not knowingly collect Personal Information from anyone younger than age 18. If we become aware that a child younger than 18 has provided us with Personal Information, we will use commercially reasonable efforts to delete such information from our files. If you are the parent or legal guardian of a child younger than age 18 and believe that Upwork has collected Personal Information from your child, please contact us at: [legalnotices@upwork.com](mailto:legalnotices@upwork.com).

# 2. USE OF INFORMATION

*We use information collected through the Service to provide and improve the Service, develop new Services and products, process your requests, prevent fraud, provide you with information and advertising that may interest you, comply with the law, and as otherwise permitted with your consent.*

## a. We Use Information We Collect:

- To provide and improve the Service, complete your transactions, address your inquiries, process your registration, verify the information you provide is valid, and for compliance and internal business purposes.
- To contact you with administrative communications and Upwork newsletters, marketing or promotional materials (on behalf of Upwork or third parties) and other information that may be of interest to you. If you decide at any time that you no longer wish to receive such communications from us, please follow the instructions in the Your Choices and Rights section, below.
- To tailor content we display to you and offers we may present to you, both on the Service and elsewhere online.
- To administer and develop our business relationship with you and, if applicable, the corporation or other legal entity you represent.
- To assess your proposal to perform a freelance project for Upwork and prepare related governmental and internal statistics reports.
- To enforce and comply with the law, including to conduct an investigation, to protect the property and rights of Upwork or a third party, to protect the safety of the public or any person, or to prevent or stop activity we may consider to be, or to pose a risk of being, illegal, fraudulent, unethical or legally actionable activity. We may also use Device Identifiers to identify Upwork Users.
- For the purposes disclosed at the time you provide your information, with your consent, and as further described in this Privacy Policy.
- To Honor Our Contractual Commitments to You. Much of our processing of Personal Information is to meet our contractual obligations to our investors, or to take steps at Users' request in anticipation of entering into a contract with them.
- For Our Legitimate Interests. In many cases, we handle Personal Information on the grounds that it furthers our legitimate interests in commercial activities, such as the following, in ways that are not overridden by the interests or fundamental rights and freedoms of the affected individuals:
  - Providing our Site and Service.
  - Detecting security incidents, protecting against malicious, deceptive, fraudulent or illegal activity, and prosecuting those responsible for that activity.
  - Measuring interest and engagement in our Services.
  - Short-term, transient use, such as contextual customization of ads.
  - Improving, upgrading or enhancing our Services.
  - Developing new products and services.
  - Ensuring internal quality control and safety.
  - Authenticating and verifying individual identities.
  - Debugging to identify and repair errors with our Services.
  - Auditing relating to interactions, transactions and other compliance activities.

- Enforcing our agreements and policies.
  - Analyzing and improving our business.
  - Communications, including marketing and responding to your inquiries about our services.
  - Addressing information security needs and protecting our Users, Upwork, and others.
  - Managing legal issues.
- To Comply with Legal Obligations. We need to use and disclose Personal Information in certain ways to comply with our legal obligations.

### 3. DATA RETENTION

Unless you request that we delete certain information (see Your Choices and Rights below), we will only retain your personal information for as long as is necessary to fulfill the purposes for which it was collected, including for the purposes of satisfying any legal, regulatory, accounting, or reporting requirements, as well as ongoing fraud prevention, backup, and business continuity purposes.

### 4. INFORMATION SHARING AND DISCLOSURE

**We do not sell your Personal Information for monetary consideration**, and we do not share your Personal Information with third parties for those third parties’ marketing purposes unless we first provide you with the opportunity to opt-in to or opt-out of such sharing. However, we may use technologies on our Site for the purposes of advertising or marketing to you and understanding how you interact with our ads. This may be considered a “sale” or “sharing” of personal information for targeted advertising under applicable data protection laws. We may also share information we have collected about you, including Personal Information, as disclosed at the time you provide your information, with your consent, as otherwise described in this Privacy Policy, or for the following business or commercial purposes:

<b>Upwork Users</b>	<p>For Freelancers who have entered into a contract with a Client or who have elected to participate in Upwork Payroll, we may share their information with Clients, Agencies, and Upwork payroll vendors. For Freelancers who choose to view a job post or submit a proposal via the Service, we may share their information with the applicable Client(s). For Freelancers who have made their profiles publicly visible, we may share their information with Clients, Agencies, Partners, and Developers.</p> <p>Note that if a Freelancer is suspended from the Upwork Service, we may share that information with Clients for whom that Freelancer has worked or submitted proposals for work. We may also share information with Agencies to whom Freelancers are associated for a particular work project.</p> <p>For clients who have entered into a service contract or agreed to use Upwork Payroll with another user, we may share your information in order to complete the transaction or to facilitate the resolution of a claim or dispute. The user receiving your information is not allowed to use it for purposes unrelated to the transaction, such as to contact you for marketing purposes, unless you have expressly consented to it.</p>
<b>Service Providers</b>	<p>We may employ service providers and individuals to facilitate our Service, to provide the Service on our behalf, to perform Service-related services (e.g., without limitation,</p>

	<p>maintenance services, database management, web analytics and online advertising, payment processing, fraud detection and improvement of Upwork's features) or to assist us in analyzing how our Service is used. These Service providers may include analytics companies, advertising partners, payment processors, identity verification companies, security companies, generative AI partners, or other merchants. These third parties may have access to your Personal Information in order to perform these tasks on our behalf.</p>
<b>Generative AI Partners</b>	<p>We enhance certain features of our Service by integrating trusted generative AI service providers. We may share the information you provide while using these features with these generative AI service providers, as well as additional information necessary to utilize the feature.</p> <p>Where Upwork uses this information to power features, we leverage certain treatments of the data appropriate for the feature, including but not limited to, first removing personal information and only using public data.</p> <p>Where a feature involves a generative AI service provider and requires the use of identifying information you submit to the feature, you may choose to either not use that feature or not opt-in to generative AI features more broadly.</p> <p>The Service includes a two-sided marketplace, which results in platform information pertaining to both parties on either side of an interaction. For example, a Client's review is inherently about a Freelancer, a Client job post is work history for a Freelancer, and Client spend is part of earning history for a Freelancer. Thus, if a Client or Freelancer chooses to use our generative AI features, the platform information associated with that user's account – including information described above – may be used to power those features, subject to limitations based on the other party's choices.</p>
<b>Legal and Investigative Purposes</b>	<p>Upwork will share information with government agencies as required by law including (without limitation) in response to lawful requests by public authorities to meet national security or law enforcement requirements and in connection with reporting earnings. We cooperate with government and law enforcement officials and private parties to enforce and comply with the law.</p> <p>We will disclose information about you to government or law enforcement officials or private parties as we, in our sole discretion, believe necessary or appropriate to respond to claims and legal process (including but not limited to subpoenas), or, at the request of governmental authorities or other third parties conducting an investigation where we determine in our sole discretion the disclosure is necessary to (a) protect the property and rights of Upwork or a third party, (b) protect the safety of the public or any person, or (c) prevent or stop activity we may consider to be, or pose a risk of being, illegal, fraudulent, unethical or legally actionable activity.</p>
<b>Internal and Business Transfers</b>	<p>Upwork may share information, including Personal Information, with its parent company Upwork Inc., and any current or future subsidiaries or affiliates, primarily for business and operational purposes, including activities such as IT management, for them to provide services to you, or support and supplement the Services we provide. We may sell, transfer, or otherwise share some or all of our assets, including your Personal Information, in connection with a merger, acquisition, reorganization or sale of assets (including, in each case, as part of the due-diligence process with any potential acquiring entity) or in the event</p>

	of bankruptcy.
<b>Upwork Foundation Initiative</b>	If you choose to participate in The Upwork Foundation Initiative as a Freelancer, we may share information relevant to your participation in the program with partners of Upwork who provide support to Freelancers through that program.
<b>Sweepstakes, Contests, and Promotions</b>	We may offer sweepstakes, contests, and other promotions (any, a “ <b>Promotion</b> ”) that may require registration.
<b>Non-Identifying Information and De-Identified Information</b>	We may share aggregated Non-Identifying Information and we may otherwise disclose Non-Identifying Information (including, without limitation, Hashed Information) or De-Identified Information to third parties.

<b>Categories of Personal Information We Have Shared in the Preceding 12 Months</b>	<b>Categories of Third Parties with whom We Share Personal Information</b>	<b>Whether This Category is Used for Targeted Advertising</b>
Identifiers	Analytics Companies, Identity Verification Companies, Advertising Partners, Payment Processors, Other Merchants, Upwork Users, Government Agencies (as required by law)	Yes
Contact Information	Analytics Companies, Advertising Partners, Payment Processors, Other Merchants, Upwork Users, Government Agencies (as required by law)	Yes
Sensitive Personal Information / Government Issued Identification Numbers	Identity Verification Companies, Security Companies, Other Merchants, Upwork Users, Government Agencies (as required by law)	No
Commercial Information	Payment Processors, Security Companies, Analytics Companies, Other Merchants, Upwork Users, Government Agencies (as required by law)	No

Financial Data/Payment Information	Payment Processors, Security Companies, Other Merchants, Upwork Users, Government Agencies (as required by law)	No
Internet or Other Network or Device Activities Including Information from Cookies	Analytics Companies, Advertising Partners, Other Merchants, Government Agencies (as required by law)	Yes
Approximate Geolocation Information	Analytics Companies, Advertising Partners, Other Merchants, Upwork Users, Government Agencies (as required by law)	Yes
Sensory Information	Other Merchants, Upwork Users, Government Agencies (as required by law)	No

## 5. YOUR CHOICES AND RIGHTS

You may have certain choices and rights associated with your personal information, including opting out of targeted advertising or other disclosures to third parties. Residents of certain locations may have the right to have an authorized agent submit requests on your behalf. You or your authorized agent may request that Upwork honor these rights by contacting us as outlined in the “Contact Us” section below, or submitting a request [here](#). Depending on your location, you may also opt out of targeted advertising [here](#).

**Non-Discrimination:** You will not receive any discriminatory treatment by us for the exercise of your privacy rights.

**Verifying Your Request:** Only you, or a person that you authorize to act on your behalf, may make a request related to your personal information. In the case of access and deletion, your request must be verifiable before we can fulfill such request. Verifying your request will require you to provide sufficient information for us to reasonably verify that you are the person about whom we collected personal information or a person authorized to act on your behalf. We will only use the personal information that you have provided in a verifiable request in order to verify your request. We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority. Please note that we may charge a reasonable fee or refuse to act on a request if such request is excessive, repetitive or manifestly unfounded.

### For Individuals Located in the European Economic Area (EEA), United Kingdom (UK) or Switzerland:

You have a number of rights under applicable data protection laws in relation to your personal information. Under certain circumstances, you have the right to:

- Have access to your personal information by submitting a request to us;
- Have your personal information deleted;

- Have your personal information corrected if it is wrong;
- Have the processing of your personal information restricted;
- Object to further processing of your personal information, including to object to marketing from us;
- Make a data portability request;
- Withdraw any consent you have provided to us;
- Restrict any automatic processing of your personal information; and
- Complain to the appropriate Supervisory Authority.

To exercise any of these rights, please contact us as outlined in the “Contact Us” section below.

## Notice for California Residents

**“Shine the Light” and “Eraser” Laws:** Residents of the State of California may request a list of all third parties to which we have disclosed certain information during the preceding year for those third parties’ direct marketing purposes.

**California Consumer Privacy Act (CCPA)/California Privacy Rights Act (CPRA):** The CCPA, as amended by the CPRA, provides California residents and/or their authorized agents with specific rights regarding the collection and processing of their personal information.

*Your Right to Know:* California residents have the right to request that we disclose the following information to you about our collection and use of your personal information over the past twelve (12) months. We may ask you to provide certain information to identify yourself so that we may compare it with our records in order to verify your request. Upon verification, we will disclose to you:

1. The categories of personal information we have collected about you.
2. The categories of sources for the personal information we have collected about you.
3. The specific pieces of personal information we have collected about you.
4. Our business or commercial purpose for collecting or “selling” your personal information as defined by the CCPA.
5. The categories of third parties to whom we have sold or shared your personal information, if any, and the categories of personal information that we have shared with each third-party recipient.

*Your Right to Opt-Out of “Sale” or “Sharing” of Personal Information:* California residents have the right to opt-out of the “sale” or “sharing” of their personal information as defined by the CCPA by clicking [here](#) or by contacting us using the information in the “Contact Us” section below.

Please note that we do not knowingly “sell” the personal information of any individuals under the age of 18.

Where we are “sharing” your personal information with third parties for the purposes of cross-context behavioral advertising or profiling, you may opt-out of such sharing at any time by submitting a request as directed on the homepage of our website or by contacting us using the information in the “Contact Us” section below.

*Your Right to Limit Use of Sensitive Personal Information:* California residents may have the right to request that businesses limit the use of any sensitive personal information to those uses which are necessary to perform the Services or for other specifically-enumerated business purposes under the CCPA, as amended by the CPRA. Please note that we do not use sensitive personal information other than as necessary to perform the Services or as specifically permitted under the CCPA.

*Your Right to Delete:* California residents have the right to request that we delete any of the personal information collected from you and retained by us, subject to certain exceptions. We may ask you to provide certain information to identify yourself so that we may compare it with our records in order to verify your request. Once your request is verified and we have determined that we are required to delete the requested personal information in accordance with the CCPA, we will delete, and direct our service providers to delete your personal information from their records. Your request to delete personal information that we have collected may be denied if we conclude it is necessary for us to retain such personal information under one or more of the exceptions listed in the CCPA.

*Your Right to Correct:* Under the CCPA, as amended by the CPRA, California residents have the right to request that we correct any inaccurate personal information we maintain about you, taking into account the nature of the personal information and the purposes for which we are processing such personal information. We will use commercially reasonable efforts to correct such inaccurate personal information about you.

*Non-Discrimination:* You will not receive any discriminatory treatment by us for the exercise of your privacy rights conferred by the CCPA.

## Notice for Nevada Residents

Under Nevada law, certain Nevada residents may opt out of the sale of “personally identifiable information” for monetary consideration to a person for that person to license or sell such information to additional persons. “Personally identifiable information” includes first and last name, address, email address, phone number, Social Security Number, or an identifier that allows a specific person to be contacted either physically or online.

We do not engage in such activity; however, if you are a Nevada resident who has purchased or leased goods or services from us, you may submit a request to opt out of any potential future sales under Nevada law by emailing [privacyrequests@upwork.com](mailto:privacyrequests@upwork.com). Please note we will take reasonable steps to verify your identity and the authenticity of the request. Once verified, we will maintain your request in the event our practices change.

## Notice for Residents of Certain Other States

The laws of your state of residence (“Applicable State Law”) may provide you with certain rights, including the following:

*Your Right to Confirm and Access:* You have the right to confirm whether we are processing personal information about you and access the personal information we process about you.

*Your Right to Portability:* You have the right to obtain a copy of the personal information we maintain and process about you in a portable and, to the extent technically feasible, readily-usable format.

*Your Right to Delete:* You have the right to request that we delete the personal information we maintain or process about you.

*Your Right to Correct:* You have the right to request that we correct inaccuracies in the personal information we maintain or process about you, taking into consideration the nature and purpose of such processing.

*Your Rights to Opt-Out:* You have the right to opt-out of certain types of processing of personal information, including:

- Opt-Out of the “sale” of personal information as defined by Applicable State Law;
- Opt-Out of targeted advertising by us;
- Opt-Out of automated profiling for the purposes of making decisions that produce legal or similarly significant effects.

Please note, as explained above, we do not “sell” personal information as that word is traditionally defined. However, we do share personal information with third parties to provide you with personalized advertising from us and to better understand how you interact with our Services. Through the use of cookies, we may also make available certain personal information to third parties for targeted advertising. You may opt-out from any of these disclosures under Applicable State Law by clicking [here](#).

## Appeals Process & Other Concerns

Certain information may be exempt from the rights described above under applicable law. If we deny your request in whole or in part, you may have the right to appeal the decision. In such circumstances, we will provide you with information regarding the appeals process. Depending on your location, you may also email [legalnotices@upwork.com](mailto:legalnotices@upwork.com) with the subject “Data Privacy Request Appeal” to provide us with details about why you are appealing the decision.

If you have an unresolved privacy or data use concern that we have not addressed to your satisfaction, please contact our U.S.-based third-party dispute resolution provider free at <https://feedback-form.truste.com/watchdog/request>.

## 6. SECURITY

*We take a number of steps to protect your data, but no security is guaranteed.*

Upwork takes reasonable steps to help protect and secure the information it collects and stores about Upwork Users. We maintain reasonable administrative, technical, and physical safeguards designed to protect personal information that we receive against accidental, unlawful, or unauthorized destruction, loss, alteration, access, disclosure or use.

## 7. CROSS-BORDER DATA TRANSFERS

*Because we are a U.S. company, we process and store your information in the United States and our service providers may process and store it elsewhere.*

Upwork may transfer your personal information to a third party that is located in a jurisdiction other than the one from which we collected your personal information, including to countries that have not been deemed to have an adequate level of protection for the rights and freedoms of data subjects. If we do transfer your personal information to another jurisdiction, we will do so following due diligence and provided that the data recipient is subject to contractual agreements imposing obligations on it to ensure appropriate technical and organizational are implemented and maintained at all times to prevent the unauthorized and unlawful processing of personal information, and the accidental loss or destruction of, or damage to, personal information, consistent with our obligations under applicable data protection laws.

We will use appropriate legal transfer mechanisms, including Standard Contractual Clauses, where required by law. In addition, Upwork is self-certified under the EU-U.S. and Swiss-U.S. Data Privacy Framework, as described below. Personal information from EU and Swiss residents will be treated in accordance with the Data Privacy Framework Principles. To exercise any legal right to see copies of the data transfer mechanism documents that Upwork uses to

transfer data to third parties, please contact us.

## Data Privacy Framework Notice

Upwork Global Inc. has certified that its U.S. operations adhere to the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks (“**Privacy Shield**”) with respect to the personal Information that they receive in reliance on the Privacy Shield. In July 2023, all members of the Privacy Shield, including Upwork, automatically became members of the Data Privacy Framework (“**DPF**”). Our DPF certification is available at <https://www.dataprivacyframework.gov/s/participant-search>. To learn more about the DPF program, please visit <https://www.dataprivacyframework.gov/s/>.

When Upwork or one of its affiliates receives Personal Information under the DPF and then transfers it to a third party service provider acting as an agent on their behalf, Upwork or its affiliate may have certain responsibility under the DPF if both (i) the agent processes the information in a manner inconsistent with the DPF and (ii) Upwork or its affiliate is responsible for the event giving rise to the damage.

Covered European residents should contact Upwork at the contact information below regarding Upwork’s or its affiliates’ compliance with the DPF. Upwork will attempt to answer your questions and satisfy your concerns in a timely and complete manner as soon as possible. If, after discussing the matter with Upwork, your issue or complaint is not resolved, Upwork and the above-named affiliates have agreed to participate in the DPF independent dispute resolution mechanisms listed below, free of charge to you. PLEASE CONTACT UPWORK FIRST.

For other Personal Information Upwork or its affiliates receive under the DPF, Upwork and its affiliates have committed to refer unresolved privacy complaints under the EU-U.S. and Swiss-U.S. Data Privacy Framework Principles to an independent dispute resolution mechanism, JAMS Data Privacy Framework Dispute Resolution, operated by JAMS. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit <https://www.jamsadr.com/dpf-dispute-resolution> for more information and to file a complaint.

If your complaint still is not resolved through these channels, under limited circumstances, an additional binding arbitration option may be available before a DPF panel, as described at <https://www.dataprivacyframework.gov/s/>. Every individual also has a right to lodge a complaint with the relevant supervisory authority.

## 8. LINKS TO OTHER SITES

Our Service contains links to other websites. If you choose to click on a third-party link, you will be directed to that third party’s website. The fact that we link to a website is not an endorsement, authorization or representation of our affiliation with that third party, nor is it an endorsement of their privacy or information security policies or practices. We do not exercise control over third party websites. These other websites may place their own cookies or other files on your computer, collect data or solicit Personal Information from you. We encourage you to read the privacy policies or statements of the other websites you visit.

## 9. CHANGES TO THIS POLICY

*We may change this Privacy Policy. If we make substantial changes, we will provide notice.*

This Privacy Policy is effective as of the date stated at the top of this page. Upwork may update this Privacy Policy at any time and any changes will be effective upon posting. By accessing or using the Service after we notify you of such changes to this Privacy Policy, you are deemed to have accepted such changes. Please refer back to this Privacy Policy on a regular basis.

## 10. CONTACT US

To request that Upwork honor any of the rights described in this Policy submit a request [here](#), or contact us as outlined below.

If you have any questions about this Privacy Policy, please contact us at <https://support.upwork.com> or [legalnotices@upwork.com](mailto:legalnotices@upwork.com), or by mail addressed to Upwork, Attn: Legal, 655 Montgomery Street Suite 490, DPT 17022, San Francisco, CA 94111-2676, USA. You may also contact us by phone at 866-262-4478.

If you are in the United Kingdom and contacting us does not resolve your inquiry, you may contact our UK representative under the following contact details via mail at: VeraSafe United Kingdom Ltd. 37 Albert Embankment, London SE1 7TL, United Kingdom.

If you are located in the EEA, for the purposes of Article 27 of the GDPR, you may contact our EU representative under the following contact details via mail at: VeraSafe Ireland Ltd. Unit 3D North Point House, North Point Business Park, New Mallow Road, Cork T23AT2P, Ireland.

You may also reach our UK and/or EEA Representatives via completing this [form](#).

## Privacy Policy in effect until December 20, 2023:

This Privacy Policy explains how and why Upwork collects, uses, and shares personal information when you interact with or use our Site or Service. It also includes any information Upwork collects offline in connection with the Service, which we may combine with information from the Site and Service. By reading this Privacy Policy, you will understand your privacy rights and choices.

When we say “**Upwork**”, we mean Upwork Global Inc., and any of its affiliates, including Upwork Payments, Inc. When we say “**Site**”, we mean [www.upwork.com](http://www.upwork.com), and when we say “**Service**”, we mean the Site plus any websites, features, applications, widgets, or online services owned or controlled by Upwork and that post a link to this Privacy Policy.

**Accessibility:** This Privacy Policy uses industry-standard technologies and was developed in connection with the World Wide Web Consortium's Web Content Accessibility Guidelines, version 2.1. If you wish to print this policy, please do so from your web browser or by saving the page as a PDF.

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# 1. INFORMATION COLLECTION

Users of the Service may be **Clients, Freelancers, or Agencies, or Site Visitors** (as each is defined in the [User Agreement](#)).

## a. Information You Provide to Us

*When you use the Service, you may provide us with information about you. This may include your name and contact information, financial information to make or receive payment for services obtained through the Upwork platform, or information to help us fill out tax forms. When you use the Service, we may also collect information related to your use of the Service and aggregate this with information about other users. This helps us improve our Services for you. You may also provide us with information about your contacts or friends if, for example, you'd like to add those contacts to a message room. Agencies may also provide us with information about Freelancers associated with the Agency.*

*Depending upon our relationship with you, we may collect the following categories and types of personal information from and about you:*

Categories of Personal Information We Collect	Examples of Personal Information Collected	Categories of Sources of Personal Information	Business Purpose for Collection of Personal Information
Identifiers	Name, Date of Birth, Social Media Account Information, Profile Data, IP Address	Directly from You or Your use of the Service; Cookies and Other Tracking Technologies; Third Parties (such as affiliates, agents, service providers and other users)	Providing and Improving the Service, Identification, Communications, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
Contact / Account Profile Information	Email Address, Home Address, Billing Address, Phone Number	Directly from You or Your use of the Service; Third Parties (such as affiliates, agents, service providers and other users)	Providing and Improving the Service, Identification, Communicating with You, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
Sensitive Personal Information / Government Issued Identification Numbers	Social Security Number, Driver's License, State Identification or Passport Number, VAT Identification Number, Tax Identification Number, Immigration Status, Citizenship Information	Directly from You	Verifying Your Identity and Detecting Fraud, Identity Theft, or Other Misuse of Your Account, Legal, Compliance and Regulatory Obligations.
Commercial Information	Transaction Data including services offered,	Directly from You or Your use of the Service; Third Parties	Providing and Improving the Service, Identification,

	considered, or purchased	(such as affiliates, agents, service providers and other users)	Communications, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
<b>Financial Data/Payment Information</b>	Credit card or other financial account information	Directly from You or Your use of the Service; Third Parties (such as affiliates, agents, service providers and other users)	Providing and Improving the Service, Identification, Communications, Security, Legal, Compliance and Regulatory Obligations.
<b>Internet or Other Network or Device Activities Including Information from Cookies</b>	Unique device and app identifiers, browsing history or other usage data, the browser and operating system you are using, the URL or advertisement that referred you to the Service, the search terms you entered into a search engine that led you to the Service, areas within the Service that you visited, which links you clicked on, which pages or content you viewed and for how long, other similar information and statistics about your interactions, such as content response times, download errors and length of visits to certain pages and other information commonly shared when browsers communicate with websites	Directly from You or Your use of the Service; Cookies and Other Tracking Technologies; Third Parties (such as affiliates, agents, service providers and other users)	Providing and Improving the Service, Identification, Communications, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
<b>Approximate Geolocation Information</b>	Your approximate location	Directly from You or Your use of the Service; Cookies and Other Tracking Technologies; Third Parties (such as affiliates, agents, service providers and other users)	Providing and Improving the Service, Identification, Communications, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.
<b>Sensory</b>	Audio recordings if you call	Directly from You or Your use	Providing and Improving

<b>Information</b>	our customer service, video recording (if you provide permission).	of the Service; Third Parties (such as affiliates, agents, service providers and other users)	the Service, Identification, Communications, Marketing, Security, Legal, Compliance and Regulatory Obligations.
<b>Other information that identifies or can be reasonably associated with you</b>	User-generated content, (e.g., community posts, feedback and job postings), photographs, examples of your work, information on work previously performed via the Service and outside the Service, skills, tests taken, test scores, hourly pay rates and earnings information.	Directly from You or Your use of the Service; Third Parties (such as affiliates, agents, service providers and other users)	Providing and Improving the Service, Identification, Communications, Marketing, Analytics, Security, Legal, Compliance and Regulatory Obligations.

## b. Non-Identifying Information

**Non-Identifying Information/Usernames:** We also may collect other information that does not identify you directly, such as zip codes, demographic data, information about your use of the Service, and general project-related data (“**Non-Identifying Information**”). We may combine information collected from Upwork users, whether they are registered or not (“**Upwork Users**”). In some cases, we may render Personal Information (generally, email address) into a form of Non-Identifying Information referred to in this Privacy Policy as “**Hashed Information**.” This is typically accomplished using a mathematical process (commonly known as a hash function) to convert information into a code. While the code does not identify you directly, it may be used by Upwork and its partners to connect your activity and interests.

**Combination of Personal and Non-Identifying Information:** We may combine your Personal Information with Non-Identifying Information, but Upwork will treat the combined information as Personal Information.

## c. Information Collected Automatically

*Like other online companies, we receive technical information when you use our Services. We use these technologies to analyze how people use the Service, to improve how our Site functions, to save your log-in information for future sessions, and to serve you with advertisements that may interest you.*

Upwork and its partners use cookies or similar technologies to analyze trends, administer the website, track users’ movement around the website, the desktop app, and the mobile app, and to gather demographic information about our user base as a whole. The technology used to collect information automatically from Upwork Users may include cookies, web beacons, and embedded scripts. In addition, we and our marketing partners, affiliates, analytics, and service providers may use a variety of other technologies (such as tags) that collect similar information for security and fraud detection purposes and we may use third parties to perform these services on our behalf.

For further information on cookies and how they are used for the Service, please visit our Cookie Policy at [www.upwork.com/legal#cookie-policy](http://www.upwork.com/legal#cookie-policy).

## d. Work Diaries and Work View

*With your permission, we collect information about a Freelancer's work for a Client, including automatically collected information about work on a particular project. If a Freelancer enables Work Diaries, we will share Work Diaries with the relevant Client and Agency. We tell Freelancers when we are capturing information for the Work Diary and allow Freelancers to block such data sharing.*

As part of the Service, when enabled by a Freelancer, we collect information about a Freelancer's work on a project for a Client, including information that may be considered personal information. This feature is known as Work Diary. Work Diaries include information provided by the Freelancer, such as a memo, as well as automatically gathered information about work on a project, such as number of mouseclicks and keyboard strokes and regularly taken screenshots (which may include a webcam picture of you if you have enabled this feature in your settings). In order to use Work Diaries, you must download and install the Team App software from [www.upwork.com](http://www.upwork.com).

We will share information contained in Work Diaries with the relevant Client and with any manager or administrator of any applicable Freelancer Agency. We inform Freelancers each time we capture information for Work Diary. As set forth in our Terms of Service, End User License Agreement, and help pages on the Site, a Freelancer may choose to block or delete the screen shot and associated data for a recorded work interval, but then the Freelancer may not be paid for that work interval. Upwork may use de-identified or aggregated information from Work Diaries for statistical analysis, product development, marketing and research.

## e. Third-Party Analytics Providers, Ad Servers and Similar Third Parties

*We may work with advertising agencies and vendors who use technology to help us understand how people use our Site. These vendors may use technologies to serve you advertisements that may interest you. You can choose to opt out of receiving certain interest-based advertising.*

Upwork works with (or may in the future work with) ad networks, ad agencies, analytics service providers and other vendors to provide us with information regarding traffic on the Service, including pages viewed and the actions taken when visiting the Service; to serve our advertisements on other websites, within mobile apps and elsewhere online; and to provide us with information regarding the use of the Service and the effectiveness of our advertisements. Our service providers may collect certain information about your visits to and activity on the Service as well as other websites or services, they may set and access their own tracking technologies on your device (including cookies and web beacons), and may use that information to show you targeted advertisements. Some of these parties may collect Personal Information when you visit the Service or other online websites and services. We may also share certain Non-Identifying Information with these parties, including Hashed Information, in connection with the services they provide to us. If you wish to opt out of interest-based advertising from participating companies, click [here](#) (or if located in the European Union, click [here](#)). You must opt out on each device and each browser where you want your choice to apply. If you choose to opt out, please note you will continue to receive advertisements, but they may be less relevant to you.

While we may use a variety of service providers to perform advertising services, some of these companies are members of the Network Advertising Initiative ("NAI") or the Digital Advertising Alliance ("DAA") Self-Regulatory Program for Online Behavioral Advertising. You may want to visit [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp), which provides information regarding targeted advertising and the "opt-out" procedures of NAI members. You may also want to visit <http://www.aboutads.info/choices/>, which provides information regarding targeted advertising and offers an "opt-out" by participating companies in the DAA Self-Regulatory Program.

## f. Do Not Track Signals and GPC

Please note that your browser setting may allow you to automatically transmit a “Do Not Track” signal to websites and online services you visit. Upwork does not generally alter its practices when it receives a “Do Not Track” signal from a visitor’s browser. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

Global Privacy Control (GPC) is a technical specification that you can use to inform websites of your privacy preferences regarding ad trackers. If you do choose to set up GPC, it may impact the functionality of the Site, but we honor the GPC signal automatically in your cookie preferences.

## g. Messaging

Freelancers, Agencies, and Clients may communicate with each other through the Service. For example, Freelancers, Agencies, and Clients may wish to discuss Client needs and Freelancer work proposals. If you communicate with an Agency or Client, that Agency or Client will also be a “data controller” with respect to such communications.

## h. Children

The Service is general audience and intended for users 18 and older. We do not knowingly collect Personal Information from anyone younger than age 18. If we become aware that a child younger than 18 has provided us with Personal Information, we will use commercially reasonable efforts to delete such information from our files. If you are the parent or legal guardian of a child younger than age 18 and believe that Upwork has collected Personal Information from your child, please contact us at: [legalnotices@upwork.com](mailto:legalnotices@upwork.com).

# 2. USE OF INFORMATION

*We use information collected through the Service to provide and improve the Service, process your requests, prevent fraud, provide you with information and advertising that may interest you, comply with the law, and as otherwise permitted with your consent.*

## a. We Use Information We Collect:

- To provide and improve the Service, complete your transactions, address your inquiries, process your registration, verify the information you provide is valid, and for compliance and internal business purposes.
- To contact you with administrative communications and Upwork newsletters, marketing or promotional materials (on behalf of Upwork or third parties) and other information that may be of interest to you. If you decide at any time that you no longer wish to receive such communications from us, please follow the instructions in the [Your Choices and Rights](#) section, below.
- To tailor content we display to you and offers we may present to you, both on the Service and elsewhere online.
- To administer and develop our business relationship with you and, if applicable, the corporation or other legal entity you represent.
- To assess your proposal to perform a freelance project for Upwork and prepare related governmental and internal statistics reports.
- To enforce and comply with the law, including to conduct an investigation, to protect the property and rights of Upwork or a third party, to protect the safety of the public or any person, or to prevent or stop activity we may consider to be, or to pose a risk of being, illegal, fraudulent, unethical or legally actionable activity. We may also use Device Identifiers to identify Upwork Users.

- For the purposes disclosed at the time you provide your information, with your consent, and as further described in this Privacy Policy.
- To Honor Our Contractual Commitments to You. Much of our processing of Personal Information is to meet our contractual obligations to our investors, or to take steps at Users' request in anticipation of entering into a contract with them.
- For Our Legitimate Interests. In many cases, we handle Personal Information on the grounds that it furthers our legitimate interests in commercial activities, such as the following, in ways that are not overridden by the interests or fundamental rights and freedoms of the affected individuals:
  - Providing our Site and Service.
  - Detecting security incidents, protecting against malicious, deceptive, fraudulent or illegal activity, and prosecuting those responsible for that activity.
  - Measuring interest and engagement in our Services.
  - Short-term, transient use, such as contextual customization of ads.
  - Improving, upgrading or enhancing our Services.
  - Developing new products and services.
  - Ensuring internal quality control and safety.
  - Authenticating and verifying individual identities.
  - Debugging to identify and repair errors with our Services.
  - Auditing relating to interactions, transactions and other compliance activities.
  - Enforcing our agreements and policies.
  - Analyzing and improving our business.
  - Communications, including marketing and responding to your inquiries about our services.
  - Addressing information security needs and protecting our Users, Upwork, and others.
  - Managing legal issues.
- To Comply with Legal Obligations. We need to use and disclose Personal Information in certain ways to comply with our legal obligations.

### 3. DATA RETENTION

Unless you request that we delete certain information (see [Your Choices and Rights](#) below), we will only retain your personal information for as long as is necessary to fulfill the purposes for which it was collected, including for the purposes of satisfying any legal, regulatory, accounting, or reporting requirements, as well as ongoing fraud prevention, backup, and business continuity purposes.

### 4. INFORMATION SHARING AND DISCLOSURE

**We do not “sell” your Personal Information as that term is traditionally defined**, and we do not share your Personal Information with third parties for those third parties’ marketing purposes unless we first provide you with the opportunity to opt-in to or opt-out of such sharing. However, we may use third-party technologies on our Site for the purposes of advertising or marketing to you and understanding how you interact with our ads. This may be considered a “sale” or “sharing” of personal information for targeted advertising under applicable data protection laws.

We may also share information we have collected about you, including Personal Information, as disclosed at the time you provide your information, with your consent, as otherwise described in this Privacy Policy, or for the following business or commercial purposes:

<b>Upwork Users</b>	<p>For Freelancers who have entered into a contract with a Client or who have elected to participate in Upwork Payroll, we may share their information with Clients, Agencies, and Upwork payroll vendors. For Freelancers who choose to view a job post or submit a proposal via the Service, we may share their information with the applicable Client(s). For Freelancers who have made their profiles publicly visible, we may share their information with Clients, Agencies, Partners, and Developers.</p> <p>Note that if a Freelancer is suspended from the Upwork Service, we may share that information with Clients for whom that Freelancer has worked or submitted proposals for work. We may also share information with Agencies to whom Freelancers are associated for a particular work project.</p> <p>For clients who have entered into a service contract or agreed to use Upwork Payroll with another user, we may share your information in order to complete the transaction or to facilitate the resolution of a claim or dispute. The user receiving your information is not allowed to use it for purposes unrelated to the transaction, such as to contact you for marketing purposes, unless you have expressly consented to it.</p>
<b>Service Providers</b>	<p>We may employ third-party companies and individuals to facilitate our Service, to provide the Service on our behalf, to perform Service-related services (e.g., without limitation, maintenance services, database management, web analytics and online advertising, payment processing, fraud detection and improvement of Upwork’s features) or to assist us in analyzing how our Service is used. These Service providers may include analytics companies, third-party advertising partners, payment processors, identity verification companies, security companies, or other merchants. These third parties may have access to your Personal Information in order to perform these tasks on our behalf.</p>
<b>Generative AI Partners</b>	<p>We enhance certain features of our Service by integrating trusted third-party generative AI service providers. We may share the information you provide while using these features with these generative AI service providers, as well as additional information necessary to utilize the feature.</p>
<b>Legal and Investigative Purposes</b>	<p>Upwork will share information with government agencies as required by law including (without limitation) in response to lawful requests by public authorities to meet national security or law enforcement requirements and in connection with reporting earnings. We cooperate with government and law enforcement officials and private parties to enforce and comply with the law.</p> <p>We will disclose information about you to government or law enforcement officials or private</p>

	<p>parties as we, in our sole discretion, believe necessary or appropriate to respond to claims and legal process (including but not limited to subpoenas), or, at the request of governmental authorities or other third parties conducting an investigation where we determine in our sole discretion the disclosure is necessary to (a) protect the property and rights of Upwork or a third party, (b) protect the safety of the public or any person, or (c) prevent or stop activity we may consider to be, or pose a risk of being, illegal, fraudulent, unethical or legally actionable activity.</p>
<b>Internal and Business Transfers</b>	<p>Upwork may share information, including Personal Information, with its parent company Upwork Inc., and any current or future subsidiaries or affiliates, primarily for business and operational purposes, including activities such as IT management, for them to provide services to you, or support and supplement the Services we provide. We may sell, transfer, or otherwise share some or all of our assets, including your Personal Information, in connection with a merger, acquisition, reorganization or sale of assets (including, in each case, as part of the due-diligence process with any potential acquiring entity) or in the event of bankruptcy.</p>
<b>Upwork Foundation Initiative</b>	<p>If you choose to participate in The Upwork Foundation Initiative as a Freelancer, we may share information relevant to your participation in the program with partners of Upwork who provide support to Freelancers through that program.</p>
<b>Sweepstakes, Contests, and Promotions</b>	<p>We may offer sweepstakes, contests, and other promotions (any, a “<b>Promotion</b>”) that may require registration.</p>
<b>Non-Identifying Information</b>	<p>We may share aggregated Non- Identifying Information and we may otherwise disclose Non-Identifying Information (including, without limitation, Hashed Information) to third parties.</p>

<b>Categories of Personal Information We Have Shared in the Preceding 12 Months</b>	<b>Categories of Third Parties We Share Personal Information With</b>	<b>Whether This Category is Used for Targeted Advertising</b>
Identifiers	Analytics Companies, Identity Verification Companies, Third-Party Advertising Partners, Payment Processors, Other Merchants, Upwork Users, Government Agencies (as required by law)	Yes
Contact Information	Analytics Companies, Third-Party Advertising Partners, Payment Processors, Other Merchants, Upwork Users, Government Agencies (as required by law)	Yes

Sensitive Personal Information / Government Issued Identification Numbers	Identity Verification Companies, Security Companies, Other Merchants, Upwork Users, Government Agencies (as required by law)	No
Commercial Information	Payment Processors, Security Companies, Analytics Companies, Other Merchants, Upwork Users, Government Agencies (as required by law)	No
Financial Data/Payment Information	Payment Processors, Security Companies, Other Merchants, Upwork Users, Government Agencies (as required by law)	No
Internet or Other Network or Device Activities Including Information from Cookies	Analytics Companies, Third-Party Advertising Partners, Other Merchants, Government Agencies (as required by law)	Yes
Approximate Geolocation Information	Analytics Companies, Third-Party Advertising Partners, Other Merchants, Upwork Users, Government Agencies (as required by law)	Yes
Sensory Information	Other Merchants, Upwork Users, Government Agencies (as required by law)	No
Other information that identifies or can be reasonably associated with you	Analytics Companies, Third-Party Advertising Partners, Security Companies, Other Merchants, Upwork Users, Government Agencies (as required by law)	Yes

## 5. YOUR CHOICES AND RIGHTS

You may have certain choices and rights associated with your personal information, including opting out of targeted advertising. Residents of certain locations may have the right to have an authorized agent submit requests on your behalf. You or your authorized agent may request Upwork to honor these rights by contacting us as outlined in the “Contact Us” section below, or submitting a request [here](#). Depending on your location, you may also opt out of targeted advertising [here](#).

**Non-Discrimination:** You will not receive any discriminatory treatment by us for the exercise of your privacy rights.

**Verifying Your Request:** Only you, or a person that you authorize to act on your behalf, may make a request related to your personal information. In the case of access and deletion, your request must be verifiable before we can fulfill such request. Verifying your request will require you to provide sufficient information for us to reasonably verify that you are the person about whom we collected personal information or a person authorized to act on your behalf. We will only use the personal information that you have provided in a verifiable request in order to verify your request. We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority. Please note that we may charge a reasonable fee or refuse to act on a request if such request is excessive, repetitive or manifestly unfounded.

## For Individuals Located in the European Economic Area (EEA), United Kingdom (UK), or Switzerland:

You have a number of rights under applicable data protection laws in relation to your personal information. Under certain circumstances, you have the right to:

- Have access to your personal information by submitting a request to us;
- Have your personal information deleted;
- Have your personal information corrected if it is wrong;
- Have the processing of your personal information restricted;
- Object to further processing of your personal information, including to object to marketing from us;
- Make a data portability request;
- Withdraw any consent you have provided to us;
- Restrict any automatic processing of your personal information; and
- Complain to the appropriate Supervisory Authority.

To exercise any of these rights, please contact us as outlined in the “Contact Us” section below.

## Notice for California Residents

**“Shine the Light” and “Eraser” Laws:** Residents of the State of California may request a list of all third parties to which we have disclosed certain information during the preceding year for those third parties’ direct marketing purposes.

**California Consumer Privacy Act (CCPA)/California Privacy Rights Act (CPRA):** The CCPA, as amended by the CPRA, provides California residents and/or their authorized agents with specific rights regarding the collection and processing of their personal information.

**Your Right to Know:** California residents have the right to request that we disclose the following information to you about our collection and use of your personal information over the past twelve (12) months. We may ask you to provide certain information to identify yourself so that we may compare it with our records in order to verify your request. Upon verification, we will disclose to you:

1. The categories of personal information we have collected about you.
2. The categories of sources for the personal information we have collected about you.
3. The specific pieces of personal information we have collected about you.
4. Our business or commercial purpose for collecting or “selling” your personal information as defined by the CCPA.
5. The categories of third parties to whom we have sold or shared your personal information, if any, and the categories of personal information that we have shared with each third-party recipient.

*Your Right to Opt-Out of “Sale” or “Sharing” of Personal Information:* California residents have the right to opt-out of the “sale” or “sharing” of their personal information as defined by the CCPA by clicking [here](#) or by contacting us using the information in the “Contact Us” section below.

Please note that we do not knowingly “sell” the personal information of any individuals under the age of 18.

Where we are “sharing” your personal information with third parties for the purposes of cross-context behavioral advertising or profiling, you may opt-out of such sharing at any time by submitting a request as directed on the homepage of our website or by contacting us using the information in the “Contact Us” section below.

*Your Right to Limit Use of Sensitive Personal Information:* California residents may have the right to request that businesses limit the use of any sensitive personal information to those uses which are necessary to perform the Services or for other specifically-enumerated business purposes under the CCPA, as amended by the CPRA. Please note that we do not use sensitive personal information other than as necessary to perform the Services or as specifically permitted under the CCPA.

*Your Right to Delete:* California residents have the right to request that we delete any of the personal information collected from you and retained by us, subject to certain exceptions. We may ask you to provide certain information to identify yourself so that we may compare it with our records in order to verify your request. Once your request is verified and we have determined that we are required to delete the requested personal information in accordance with the CCPA, we will delete, and direct our third-party service providers to delete, your personal information from their records. Your request to delete personal information that we have collected may be denied if we conclude it is necessary for us to retain such personal information under one or more of the exceptions listed in the CCPA.

*Your Right to Correct:* Under the CCPA, as amended by the CPRA, California residents have the right to request that we correct any inaccurate personal information we maintain about you, taking into account the nature of the personal information and the purposes for which we are processing such personal information. We will use commercially reasonable efforts to correct such inaccurate personal information about you.

*Non-Discrimination:* You will not receive any discriminatory treatment by us for the exercise of your privacy rights conferred by the CCPA.

## Notice for Nevada Residents

Under Nevada law, certain Nevada residents may opt out of the sale of “personally identifiable information” for monetary consideration to a person for that person to license or sell such information to additional persons. “Personally identifiable information” includes first and last name, address, email address, phone number, Social Security Number, or an identifier that allows a specific person to be contacted either physically or online.

We do not engage in such activity; however, if you are a Nevada resident who has purchased or leased goods or services from us, you may submit a request to opt out of any potential future sales under Nevada law by emailing [privacyrequests@upwork.com](mailto:privacyrequests@upwork.com). Please note we will take reasonable steps to verify your identity and the authenticity of the request. Once verified, we will maintain your request in the event our practices change.

## Notice for Residents of Certain Other States

The Virginia Consumer Data Protection Act (“VCDPA”), Colorado Privacy Act (CPA), and Connecticut Data Privacy Act (CTDPA) [and Utah Consumer Privacy Act (UCPA)] (“Applicable State Law”) provide residents of those states with certain rights, including the following:

*Your Right to Confirm and Access:* You have the right to confirm whether we are processing personal information about you and access the personal information we process about you.

*Your Right to Portability:* You have the right to obtain a copy of the personal information we maintain and process about you in a portable and, to the extent technically feasible, readily-usable format.

*Your Right to Delete:* You have the right to request that we delete the personal information we maintain or process about you.

*Your Right to Correct:* You have the right to request that we correct inaccuracies in the personal information we maintain or process about you, taking into consideration the nature and purpose of such processing.

*Your Rights to Opt-Out:* You have the right to opt-out of certain types of processing of personal information, including:

- Opt-Out of the “sale” of personal information as defined by Applicable State Law;
- Opt-Out of targeted advertising by us;
- Opt-Out of automated profiling for the purposes of making decisions that produce legal or similarly significant effects.

Please note, as explained above, we do not “sell” personal information as that word is traditionally defined. However, we do share personal information with third parties to provide you with personalized advertising from us and to better understand how you interact with our Services. Through the use of cookies, we may also make available certain personal information to third parties for targeted advertising. You may opt-out from such targeted advertising under Applicable State Law by clicking [here](#).

## Appeals Process & Other Concerns

Certain information may be exempt from the rights described above under applicable law. If we deny your request in whole or in part, you may have the right to appeal the decision. In such circumstances, we will provide you with information regarding the appeals process. Depending on your location, you may also email [legalnotices@upwork.com](mailto:legalnotices@upwork.com) with the subject “Data Privacy Request Appeal” to provide us with details about why you are appealing the decision.

If you have an unresolved privacy or data use concern that we have not addressed to your satisfaction, please contact our U.S.-based third-party dispute resolution provider free at <https://feedback-form.truste.com/watchdog/request>.

## 6. SECURITY

*We take a number of steps to protect your data, but no security is guaranteed.*

Upwork takes reasonable steps to help protect and secure the information it collects and stores about Upwork Users. We maintain reasonable administrative, technical, and physical safeguards designed to protect personal information that we receive against accidental, unlawful, or unauthorized destruction, loss, alteration, access, disclosure or use.

## 7. CROSS-BORDER DATA TRANSFERS

*Because we are a U.S. company, we process and store your information in the United States and our service providers may process and store it elsewhere.*

Upwork may transfer your personal information to a third party that is located in a jurisdiction other than the one from which we collected your personal information, including to countries that have not been deemed to have an adequate level of protection for the rights and freedoms of data subjects. If we do transfer your personal information to another jurisdiction, we will do so following due diligence and provided that the data recipient is subject to contractual agreements imposing obligations on it to ensure appropriate technical and organizational are implemented and maintained at all times to prevent the unauthorized and unlawful processing of personal information, and the accidental loss or destruction of, or damage to, personal information, consistent with our obligations under applicable data protection laws.

### Privacy Shield Notice

Upwork Global Inc. has certified that their U.S. operations adhere to the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks (“**Privacy Shield**”) with respect to the Personal Information that they receive in reliance on the Privacy Shield. Our Privacy Shield certification is available at <https://www.privacyshield.gov/list>. To learn more about the Privacy Shield program, please visit <https://www.privacyshield.gov>.

In light of the judgment of the Court of Justice of the EU in Case C-311/18, Upwork does not rely on the Privacy Shield as a legal basis for the transfer of personal data, however, when Upwork or one of its affiliates receives Personal Information under the Privacy Shield and then transfers it to a third party service provider acting as an agent on their behalf, Upwork or its affiliate may have certain responsibility under the Privacy Shield if both (i) the agent processes the information in a manner inconsistent with the Privacy Shield and (ii) Upwork or its affiliate is responsible for the event giving rise to the damage.

Covered European residents should contact Upwork at the contact information below regarding Upwork’s or its affiliates’ compliance with the Privacy Shield. Upwork will attempt to answer your questions and satisfy your concerns in a timely and complete manner as soon as possible. If, after discussing the matter with Upwork, your issue or complaint is not resolved, Upwork and the above-named affiliates have agreed to participate in the Privacy Shield independent dispute resolution mechanisms listed below, free of charge to you. PLEASE CONTACT UPWORK FIRST.

For other Personal Information Upwork or its affiliates receive under the Privacy Shield, Upwork and its affiliates have committed to refer unresolved privacy complaints under the EU-U.S. and Swiss-U.S. Privacy Shield Principles to an independent dispute resolution mechanism, JAMS Privacy Shield Dispute Resolution, operated by JAMS. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit <https://www.jamsadr.com/eu-us-privacy-shield> for more information and to file a complaint.

If your complaint still is not resolved through these channels, under limited circumstances, an additional binding arbitration option may be available before a Privacy Shield panel, as described at <https://www.privacyshield.gov>. Every individual also has a right to lodge a complaint with the relevant supervisory authority.

## 8. LINKS TO OTHER SITES

Our Service contains links to other websites. If you choose to click on a third-party link, you will be directed to that third party's website. The fact that we link to a website is not an endorsement, authorization or representation of our affiliation with that third party, nor is it an endorsement of their privacy or information security policies or practices. We do not exercise control over third party websites. These other websites may place their own cookies or other files on your computer, collect data or solicit Personal Information from you. We encourage you to read the privacy policies or statements of the other websites you visit.

## 9. CHANGES TO THIS POLICY

*We may change this Privacy Policy. If we make substantial changes, we will provide notice.*

This Privacy Policy is effective as of the date stated at the top of this page. Upwork may update this Privacy Policy at any time and any changes will be effective upon posting. By accessing or using the Service after we notify you of such changes to this Privacy Policy, you are deemed to have accepted such changes. Please refer back to this Privacy Policy on a regular basis.

## 10. CONTACT US

**To request that Upwork honor any of the rights described in this Policy submit a request [here](#), or contact us as outlined below.**

If you have any questions about this Privacy Policy, please contact us at <https://support.upwork.com> or [legalnotices@upwork.com](mailto:legalnotices@upwork.com), or by mail addressed to Upwork, Attn: Legal, 655 Montgomery Street Suite 490, DPT 17022, San Francisco, CA 94111-2676, USA. You may also contact us by phone at 866-262-4478.

If you are in the United Kingdom and contacting us does not resolve your inquiry, you may contact our UK representative under the following contact details via mail at: VeraSafe United Kingdom Ltd. 37 Albert Embankment, London SE1 7TL, United Kingdom.

If you are located in the EEA, for the purposes of Article 27 of the GDPR, you may contact our EU representative under the following contact details via mail at: VeraSafe Ireland Ltd. Unit 3D North Point House, North Point Business Park, New Mallow Road, Cork T23AT2P, Ireland.

You may also reach our UK and/or EEA Representatives via completing this [form](#).