



## Applicant and Employee Privacy Notice

**Effective Date:** November 30, 2020

### SCOPE

This Privacy Notice applies to personal information of applicants and employees (including contractors) that Qumulo, Inc. (“**Qumulo**”) collects and processes in the course of our People Operations, from submission of an application, throughout the course of an individual’s employment, and following employment (collectively, the “**People Operations**”).

The terms “**Qumulo**,” “**we**,” “**us**,” and “**our**” include Qumulo and our affiliates and subsidiaries. This Privacy Notice explains the kinds of information we may collect, how we intend to use and share that information, and how you may be able to opt-out of a use or correct or change such information.

### PERSONAL INFORMATION WE COLLECT

Qumulo collects personal information from job applicants and current and former employees. The personal information we collect may include:

- name, address, phone number, email address, date of birth, passport number, driver’s license number, Social Security number or other government-issued identification number, employment history, education, professional qualifications, salary information, financial information related to credit checks, bank details for payroll, information that may be recorded on a resume/CV or application form, language abilities, contact information of third parties in case of an emergency and beneficiaries under any insurance policy;
- sensitive personal information such as details of health and disability, including medical information, health insurance information, mental health, medical leave, and maternity leave;
- name, address, social security number, age, and other personal information for family members of employees for benefit administration (note: by providing us such information, you confirm that you are authorized to share such information with us and have informed the third parties you will be doing so);
- information about national origin or immigration status; and
- optional demographic information such as race or veteran status, which helps us achieve our diversity goals.

Qumulo may also collect personal information from its applicants and employees as follows:

**Communications with Us.** We may collect personal information such as personal contact information when an applicant or employee communicates with us, for example to inquire about employee benefits.

**Posting on Intra-Qumulo Sites.** Qumulo may offer intra-company accessible sites, pages, messaging channels, blogs, or forums (“**Intra-Qumulo Sites**”). Qumulo and other individuals who use the Intra-Qumulo Sites may collect the information you submit or make available through these sites. If you choose to submit content to any public area of the Intra-Qumulo Sites, such content will be considered “public” and will not be subject to the privacy protections set forth herein.

**Use of Qumulo Information Technology Systems and Networks.** Qumulo may collect certain

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information automatically through the course of your employment, such as your Internet protocol (IP) address, inferred location based on your IP address or activities, device identifiers associated with your computer or device, mobile carrier and related information, activity logs, and other information about activities you engage in on Qumulo property, equipment, accounts, systems and networks. Qumulo may monitor and review employees' uses of Qumulo equipment, accounts, information technology systems and networks, including its phone networks, computer networks, including those used to access the Internet, videoconferencing systems and other company-provided electronic communications tools. Qumulo may access and review electronic files, messages, and emails sent or stored on its information technology systems, including accounts, computers and devices provided to employees.

*Please note that your activity on company resources, including devices, networks, and systems may be monitored by the company.*

**CCTV Footage.** Qumulo may monitor its premises using CCTV cameras.

**Surveys.** From time to time, we may ask you to participate in surveys. If you decide to participate, you may be asked to provide certain information which may include personal information. All information collected from your participation in our surveys is provided by you voluntarily. We may use such information consistent with this Privacy Notice.

**Contests.** Occasionally, Qumulo may run contests. We ask those who participate to provide information relevant to the contest.

**Information from Other Sources.** We may collect or receive information about you from other sources, including through third party services and organizations, public sources, and referees you provide to supplement information provided by you. Where permitted by law, we may also conduct background checks on you prior to your employment with Qumulo. This supplemental information allows us to verify information that you have provided to Qumulo.

**Miscellaneous Information.** We may receive or collect other miscellaneous information (for example, information you choose to disclose during the interview process, whether in verbal or written form, opinions generated during the interview process, and information provided to us during performance reviews).

### **HOW QUMULO USES YOUR INFORMATION**

We process personal information for a variety of business purposes including:

- To assess your suitability, aptitude, skills, qualifications, and interests for employment with Qumulo;
- To communicate with you about the application process and/or your application;
- To assist you with obtaining an immigration visa or work permit (where required and requested by you);
- To take steps at your request prior to entering into an employment contract with you (for example, after we have sent you an offer, we need to process certain personal information in order to enter into and then perform the contract of employment);
- Workflow management, including assigning, managing and administering projects;
- People Operations administration and communication;
- Payroll and the provision of benefits;
- Compensation, including bonuses and long-term incentive administration, stock plan administration, compensation analysis, including monitoring overtime and compliance with labor laws, and company recognition programs;
- To pursue our legitimate interests as a company (for example, fraud prevention, network and information security, disclosure to affiliated organizations for administrative tasks, employee monitoring for safety or management, whistleblowing schemes, enforcement of legal claims, and research purposes);
- Job grading activities;

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- Performance and employee development management;
- Organizational development and succession planning;
- Benefits and personnel administration;
- Absence management;
- Helpdesk and IT support services;
- Internal and/or external or governmental compliance investigations;
- Internal or external audits;
- Where it is necessary for the establishment, exercise or defense of legal claims;
- Diversity and inclusion initiatives;
- Restructuring and relocation;
- Emergency contacts and services;
- Employee safety;
- To comply with our legal obligations;
- Processing of employee expenses and travel charges;
- Acquisitions, divestitures, and integrations; and
- As you otherwise agree or consent.

### HOW WE DISCLOSE YOUR INFORMATION

We may share your information as described in this Privacy Notice (e.g., with our third-party service providers; to comply with legal obligations; to protect and defend our rights and property) or with your permission.

**Vendors, Partners, and Service Providers.** We may share any information we receive with vendors, partners, and service providers. The types of service providers to whom we entrust personal information include service providers for: (i) provision of IT and related services; and (ii) processing to maintain our People Operations.

**Customers.** We may share information we receive with end user customers if there is a legitimate business purpose, such as sharing employee contact information.

**Affiliates and Subsidiaries.** Qumulo may share personal information with our affiliates and subsidiaries for our and our affiliates' and subsidiaries' internal business purposes.

**Displaying to Other Individuals.** When you post content to the Intra-Qumulo Site(s), other individuals may be able to see some information about you, such as your name and/or picture in addition to the content you post. We are not responsible for practices of the individuals who view and use your information.

**Disclosures to Protect Us or Others.** We may access, preserve, and disclose your personal information if we believe doing so is required or appropriate to: (i) comply with law enforcement or national security requests and legal process, such as a court order or subpoena; (ii) protect your, our or others' rights, property, or safety; (iii) to enforce Qumulo policies and contracts; (iv) to collect amounts owed to us; (v) when we believe disclosure is necessary or appropriate to prevent financial loss or in connection with an investigation or prosecution of suspected or actual illegal activity; or (vi) if we, in good faith, believe that disclosure is otherwise necessary or advisable.

**Merger, Sale, or Other Asset Transfers.** If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of company assets, or transition of service to another entity, then your information may be transferred as part of such a transaction as permitted by law and/or contract.

### INTERNATIONAL DATA TRANSFERS

All information collected via or by Qumulo may be transferred, processed, and stored anywhere in the world,

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including but not limited to, the United States, in order to carry out our People Operations.

### **YOUR CHOICES**

In some instances, you may have the right to opt out of and object to certain uses and disclosures of your personal information. If you are located in the European Economic Area and have consented to Qumulo processing your personal information, you may withdraw that consent at any time by contacting us as set forth below.

For more information on the choices you may have and how to exercise them, please contact us as set forth below.

### **INDIVIDUAL RIGHTS IN PERSONAL INFORMATION**

In accordance with applicable law, you may have the right to: (i) request confirmation of whether we are processing your personal information; (ii) obtain access to or a copy of your personal information; (iii) receive an electronic copy of personal information that you have provided to us, or ask us to send that information to another company (the “right of data portability”); (iv) restrict our uses of your personal information; (v) seek correction of inaccurate, untrue or incomplete personal information; and (vi) request erasure of personal information held about you by Qumulo, subject to certain exceptions prescribed by law. If you would like to exercise any of these rights, please contact us as set forth below.

We will process such requests in accordance with applicable laws. To protect your privacy, Qumulo will take steps to verify your identity before fulfilling your request.

### **DATA RETENTION**

Qumulo retains the personal information we receive as described in this Privacy Notice for as long as necessary to fulfill the purpose(s) for which it was collected, carry out our People Operations, resolve disputes, establish legal defenses, conduct audits, pursue legitimate business purposes, enforce our agreements, and comply with applicable laws.

### **SECURITY OF YOUR INFORMATION**

We take steps to ensure that your information is treated securely and in accordance with this Privacy Notice. Unfortunately, we cannot ensure or warrant the security of any information you provide to us. To the fullest extent permitted by applicable law, we do not accept liability for unauthorized disclosure.

### **THIRD PARTY WEBSITES/APPLICATIONS.**

Various resources and sites at Qumulo may contain links to third party websites/applications and other websites/applications may reference or link to Qumulo. These third-party services are not controlled by us. We encourage our applicants and employees to read the privacy policies of each website and application with which they interact. We do not endorse, screen or approve, and are not responsible for the privacy practices or content of such other websites or applications. Visiting these other websites or applications is at your own risk.

### **SUPERVISORY AUTHORITY**

If you are an applicant or employee located in the European Economic Area, you have the right to lodge a complaint with a supervisory authority if you believe our processing of your personal information violates applicable law.

### **CHANGES TO OUR PRIVACY NOTICE AND PRACTICES**

## **Qumulo, Inc. Applicant and Employee Privacy Notice**

We may revise this Privacy Notice from time to time in our sole discretion. If there are any material changes to this Privacy Notice, we will notify you as required by applicable law. You understand and agree that you will be deemed to have accepted the updated Privacy Notice if you continue your employment with Qumulo after the new Privacy Notice takes effect. If at any point you do not agree to any portion of the Privacy Notice in effect, you must immediately contact the People Team.

### **CONTACT US**

If you have any questions about our privacy practices or this Privacy Notice, please contact Qumulo by email at [dataprivacyoffice@qumulo.com](mailto:dataprivacyoffice@qumulo.com).