



Applicant and Employee Privacy Notice

Effective Date: October 5, 2022

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.

CONTROLLERS

Qumulo is the controller of your personal information, which means we determine and are responsible to you for how your personal information is used.

PERSONAL INFORMATION WE COLLECT AND HOW WE USE IT

Qumulo directly collects personal information from job applicants and current and former employees.

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 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).

The table in **Annex 1** sets out the categories of personal information we collect about you and how we use that information. The table also lists the legal basis which we rely on to process your personal information.

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, including but not limited to, the United States, in order to carry out our People Operations. In the event of such a transfer, we ensure that: (i) the personal data is transferred to countries recognized as offering an equivalent level of protection; or (ii) the transfer is made pursuant to appropriate safeguards, such as standard

contractual clauses adopted by the European Commission (including additional safeguards as recommended by the European data Protection Board).

- Adequacy Decisions pursuant to Article 45 of the GDPR: we may transfer personal data about you to countries that the European Commission has deemed to adequately safeguard personal data.
- Standard Contractual Clauses pursuant to Article 46 of the GDPR: the European Commission has adopted Standard Contractual Clauses, which provide safeguards for personal data transferred outside of the EEA. We may use these Standard Contractual Clauses when transferring personal data from a country in the EEA to a country outside the EEA that has not been deemed to adequately safeguard personal data. You can request a copy of our Standard Contractual Clauses by contacting us as set forth in the Contact Us section below.

If you wish to enquire further about these safeguards used, please contact us using the details set out at the end of these Privacy Disclosures.

CONSENT

We may need your consent for some uses of certain personal information. For instance, in certain circumstances, we may need your consent to use certain "sensitive" information.

If we need your consent, we will notify you of the personal information we intend to use and how we intend to use it.

You do not have to give us consent. Where you have given us consent to collect, use or disclose your personal information in a certain way, you may withdraw your consent at any time. If you wish to withdraw any consent that you have given us, please contact us using the details below.

Note that we may also process such sensitive data if the processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject as required by law.

INDIVIDUAL RIGHTS IN PERSONAL INFORMATION

In accordance with applicable law, you may have the following rights with respect to your personal information:

- (a) **Right of access.** You have the right to obtain:
 - (i) confirmation of whether or not we are processing your personal information; and where that is the case
 - (ii) information about the categories of personal information we are processing, the purposes for which we process your personal information and information as to how we determine applicable retention periods;
 - (iii) information about the categories of recipients with whom we may share your personal information;
 - (iv) information on the source of the personal information if we have not obtained that data from you;
 - (v) information on the existence of automated decision-making and – if applicable – the logic involved; and

- (vi) a copy of the personal information we hold about you.

- (b) **Right of portability.** You have the right, in certain circumstances, to receive a copy of the personal information you have provided to us in a structured, commonly used, machine-readable format that supports re-use, or to request the transfer of your personal information to another person.

- (c) **Right to rectification.** You have the right to obtain rectification of any inaccurate or – in some cases – the completion of incomplete personal information we hold about you without undue delay.

- (d) **Right to erasure.** You have the right, in some circumstances, to require us to erase your personal information without undue delay if the continued processing of that personal information is not justified, such as where you have withdrawn your consent or where the personal data is no longer necessary in relation to the purposes for which they were collected or otherwise processed.

- (e) **Right to restriction.** You have the right, in some circumstances, to require us to limit the purposes for which we process your personal information if the continued processing of the personal information in this way is not justified, such as where the accuracy of the personal information is contested by you.

- (f) **Right to object.** You have a right, in some circumstances, to object to any processing based on our legitimate interests. There may, however, be compelling reasons for continuing to process your personal information, and we will assess and inform you if that is the case.

For more information on the choices you may have and how to exercise them, please contact us as set forth below or fill out our Privacy Rights Requests Form available at <https://privacyportal.onetrust.com/webform/59740c49-7a4d-40cc-846a-e946fd833aab/42c6e2c0-58b1-4c62-b74b-71874f8a2292>.

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.

Depending on where you are located, you have the right to provide instructions regarding the retention, deletion and disclosure of your personal data after your death. In the absence of instructions from you, it is possible for your heirs to request the disclosure or deletion of your personal data by sending an email to us as provided under the Contact Us section.

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.

Data collected through the use of CCTV will not be retained for more than (1) month.

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

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 by email to your registered email address, by prominent posting on our online Services, or through other appropriate communication channels. All changes shall be effective from the date of publication unless otherwise provided in the notification.

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).

Annex 1 – Personal Information we collect

Category of Personal Data	How we Use the data	Legal Bases for the Processing
Contact and identification information such as name, address, phone number, email address, date of birth, passport number, driver's license number, Social Security number or other government-issued identification number, emergency contacts	To communicate with you about the application process and/or your application	The processing is necessary for our legitimate interests, namely communicating with employees.
	To assist you with obtaining an immigration visa or work permit (where required and requested by you)	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	To take steps at your request prior to entering into an employment contract with you	The processing is necessary for the performance of a contract and to take steps prior to entering into a contract.
	To manage payroll and the provision of benefits	The processing is necessary for the performance of a contract and to take steps prior to entering into a contract.
	To manage People Operations administration and communication	The processing is necessary for our legitimate interests, namely communicating with employees and managing our human resources and maintaining company records.
	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	The processing is necessary for carrying out obligations and exercising specific rights in the field of employment. The processing is also necessary for our legitimate interests, namely compensating employees, as well as for the performance of a contract and to take steps prior to entering into a contract.
	Job grading activities	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	Performance and employee development management	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	Organizational development and succession planning	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.

	Emergency contacts	The processing is necessary for our legitimate interests, namely communicating with employees or an employee designee in the event of an emergency.
	Restructuring and relocation	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	Diversity and inclusion initiatives	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	Internal and/or external or governmental compliance investigations	The processing is necessary for compliance with a legal obligation to which we are subject.
	Helpdesk and IT support services	The processing is necessary for our legitimate interests, namely providing Employees access to company resources.
	Absence management	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	Benefits and personnel administration	: The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	Employee safety	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	Workflow management, including assigning, managing and administering projects	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	Processing of employee expenses and travel charges	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
Education and experience information such as employment history, education, professional qualifications, information that may be recorded on a resume/CV or application form, language abilities	To assess your suitability, aptitude, skills, qualifications, and interests for employment with Qumulo	The processing is necessary for our legitimate interests, namely assessing candidates' ability prior to offering them a position with Qumulo.
	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	The processing is necessary for carrying out obligations and exercising specific rights in the field of employment.

	Job grading activities	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	Performance and employee development management	
	Organizational development and succession planning	
	Absence management;	
	Diversity and inclusion initiatives;	
	Restructuring and relocation;	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
Financial information such as salary information, financial information related to credit checks, bank details for payroll	To pay salaries and other benefits to Employees.	The processing is necessary for carrying out obligations and exercising specific rights in the field of employment and for the performance of a contract.
	To process expenses claims.	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
	To assess, forecast and make business decisions in relation to financial and other obligations to Employees and third parties (such as tax authorities and beneficiaries) in relation to any benefits owed to Employees.	The processing is necessary for our legitimate interests, namely managing our human resources and maintaining company records.
Health benefits information such as health insurance medical leave, and maternity leave	Employee safety	The processing is necessary for carrying out obligations and exercising specific rights in the field of employment.
	Internal or external audits	
	Absence management	
	Benefits and personnel administration	
Other health information such as details of health and disability, information, mental health,	assist employees in the performance of their job role; and determine whether an employee is fit to undertake tasks required by their job role.	You have given us your explicit consent to the processing of this personal data; or it is necessary to comply with legal obligations derived from for the exercise of rights or for the fulfilment of legal obligations.
Information of family members such as name, address, social security number, age, and other personal information for family members of employees for benefit	Benefits and personnel administration	The processing is necessary for carrying out obligations and exercising specific rights in the field of employment.

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)		
Nationality information such as information about national origin or immigration status	To assist you with obtaining an immigration visa or work permit (where required and requested by you)	The processing is necessary for compliance with a legal obligation to which we are subject.
Optional demographic information such as ethnicity or veteran status.	Achieving our diversity goals	The processing is necessary for our legitimate interests, namely managing our human resources and ensuring compliance with internal policies and procedures.