

This privacy notice (the "Notice") describes the ways that Pivotal ("Company", "we", "us", "our") collects and uses your personal data as a candidate ("you" or "candidate"). We work with data processors to whom we have instructed to collect, store, and process personal information on our behalf as a recruiting and applicant tracking platform (ATS) ("Platform") in order to handle your personal data as a candidate. It also describes the rights and options available to you with respect to your personal data.

We have an additional privacy notice explaining our own specific privacy practices related to personal data ("Privacy Policy"), which is available on our website.

## **1. PERSONAL DATA PROCESSED**

We receive personal data about you as a candidate for positions at the Company, such as: contact information, address, Curriculum Vitae (resume) information (including information such as skills, work experience, education), notes submitted with the application, URL of your LinkedIn and other online profiles, the position for which you have been or are being considered, the source who submitted your candidacy (e.g., recruiting agency, referral), email correspondences between you, the Company and between the Company and other sources (such as recruiting agency and referrals) about your candidacy, information from references, events in the lifecycle of your candidacy, and your responses to questionnaires sent to you by us, information about your candidacy and employment options (such as availability to be hired and salary expectations), evaluations of your candidacy, internal discussions within the Company about your candidacy, materials you or other parties (such as evaluators or background check providers) submitted in relation to your candidacy. If you submit your candidacy by email or online, then you are the main source of the personal data. Your personal data can also originate from other sources, such as LinkedIn profiles, recruitment agencies, headhunters, and referrals.

## **2. HOW YOUR PERSONAL DATA IS USED. LEGAL BASIS.**

We will use your personal data in accordance with our Company Privacy Policy, including to evaluate and consider you as a candidate for positions, to contact you regarding your application status and interviews, to schedule meetings and interviews, and for other purposes related to our employment evaluation processes and policies.

## **3. WHO WILL PROCESS YOUR DATA**

1. We may share your personal data with our service providers and vendors who assist us in collecting, processing, and storing your personal data, in the context of your candidacy. These companies are authorized to use your personal data as necessary to provide these services or as otherwise authorized by us.
2. Personal data may be shared with, or transferred to, our affiliated corporate group entities (entities controlled by, under common control with, or controlling us, directly or indirectly).

3. We may share your general recruitment status with third parties who submitted your candidacy to us.
4. If your details are submitted to the Company by a third-party (such as an employee of the Company or a recruiting agency), the Company can give the third-party access to your name, photo, and some of the general recruitment status.
5. If you apply to a job opening using a unique referral link that was provided to you by an employee of the Company to which you are applying, the Company may share some of your general recruitment status, without identifying you by name, with the person who provided you the referral link.
6. The purpose of sharing the above information is to operate incentive programs (i.e., employee referral bonus programs) of the Company and to provide feedback to third parties who submit candidates to the Company regarding their submission.
7. If we are required to disclose your information by a judicial, governmental and/or regulatory authority to comply with applicable laws, regulations and rules (including, without limitation, federal, state or local laws), and requests of law enforcement, regulatory and other governmental agencies or if required to do so by court order.
8. If, in the future, we sell or transfer, or we consider selling or transferring, some or all of our business, shares, or assets to a third party, we will disclose your personal data to such third party (whether actual or potential) in connection with the foregoing events.
9. In the event that we are acquired by, or merged with, a third-party entity, or in the event of bankruptcy or a comparable event, we reserve the right to transfer, disclose or assign your personal data in connection with the foregoing events, including, in connection with, or during negotiations of, any merger, sale of company assets, consolidation or restructuring, financing, or acquisition of all or a portion of our business by or to another company. If you wish to receive further information, please contact us.

#### **4. SECURITY AND DATA RETENTION**

1. Retention. We will retain your personal data for as long as we need it to assess you as a candidate or as long as we have a valid legal basis. In accordance with our internal data retention policies and practices, we can decide whether to keep your personal data, delete it, or pseudonymize/anonymize it.
2. Security. We implement industry-standard measures to reduce the risks of damage, loss, unauthorized access, or use of your personal data. However, these measures do not provide absolute information security.

#### **5. YOUR RIGHTS**

Your rights may vary, depending on the applicable law. These rights may not be available in certain jurisdictions and/or may be subject to certain derogations or limitations. You may have the following rights:

1. To ask us to provide a copy of your personal data that is stored on our servers, including the Platform;

2. to update, correct, and/or delete your personal data;
3. to request the restriction of processing concerning your personal data or to object to the processing of your personal data;
4. to request to obtain a copy of your personal data in a structured, commonly used, and machine-readable format;
5. If we rely on consent, please note that you have the right to withdraw consent at any time, and/or to lodge a complaint with a supervisory authority.

If you wish to exercise any of these rights, please contact us. If you choose to exercise any of your rights, we will handle these requests in accordance with applicable law, but please note that the exercise of some of those rights may have some consequences for your application as a candidate.

In the context of the Platform, we do not use any automated decision-making related to your personal data.

## **6. CONTACT US**

You may send requests, responses, questions, and complaints by contacting us.

1017 Main Campus Drive

Suite 2300

Raleigh, NC 27606

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