

NetApp

Applicant Privacy Policy

NetApp, Inc. (“**NetApp**”) values your trust and is committed to the responsible management, use and protection of personal information. This Applicant Privacy Policy (“**Policy**”) describes our practices in connection with personal information that we collect through the Careers section of our website located at <https://careers.netapp.com/> (“**Careers Site**”), through professional social sites, and offline in connection with your application for a job or internship with NetApp or one of our affiliates. Personal information submitted elsewhere on NetApp’s and its affiliates’ web sites will be used in accordance with our general online [Privacy Policy](#).

1. PERSONAL INFORMATION WE COLLECT

Information You Provide

We collect information from you in connection with your application.

Information we collect includes:

- Name, address,
- Telephone number, e-mail address, and other contact information;
- Username and password;
- Work authorization status;
- CV, résumé, cover letter, previous work experience and education information;
- Skills;
- Professional and other work-related licenses, permits and certifications held;
- Information relating to references; and
- Any other information you elect to provide to us (e.g., employment preferences, willingness to relocate, current salary, desired salary, awards or professional memberships).

As discussed in the “Diversity” section below, in certain cases we will ask questions about race/ethnic origin, gender, and disability of our applicants, for monitoring equal opportunity. We can also inquire about criminal records. We will do so only where permitted by applicable law. Otherwise, we ask that you avoid submitting information which may qualify as sensitive information under applicable law, except where such information is legally required. Sensitive information includes race, religion, ethnicity, nationality or national origin, age, gender identity, sex life or practices or sexual orientation, marital status, medical or health information (including disability status), genetic or biometric information, biometric templates, political or philosophical

beliefs, political party or trade union membership, veteran status, background check information, judicial data such as criminal records or information on other judicial or administrative proceedings.

Any information you submit through the Careers Site must be true, complete and not misleading. Submitting inaccurate, incomplete, or misleading information may lead to a rejection of your application during the application process or disciplinary action including immediate termination of employment. In addition, it is your responsibility to ensure that information you submit does not violate any third party's rights.

If you provide us with personal information of a reference or any other individual as part of your application, it is your responsibility to obtain consent from that individual prior to providing the information to us.

Information from Other Sources

For the purpose of background check reports in connection with your application, and as permitted by applicable law, NetApp obtains information about you from other sources.

Other sources include:

- Your references. • Prior employers.
- Educational institutions you attended.
- Professional social media sites; and
- Background check providers

2. USE OF INFORMATION

We collect and process information about you for one or more of these reasons:

- a) Because you voluntarily provide this information and consent for us to process it.
- b) Because this information is necessary to take steps at your request prior to entering into an employment or internship;
- c) Because this information is of particular importance to us and we have a specific legitimate interest under law to process it;
- d) To comply with a legal obligation; or
- e) Where necessary to protect the vital interests of any person.

Where the collection or processing is based on your consent (such as contacting you in relation to a relevant vacancy at NetApp), you may withdraw your consent at any time to the extent permitted by applicable law.

The information that you submit on the Careers Site will be used for NetApp's global personnel recruitment, management and planning purposes, consistent with applicable law:

- To process your application. We will engage in these activities to manage our prospective contractual relationship with you, based on our legitimate interests;

- To assess your capabilities and qualifications for a job. We will engage in these activities to manage our prospective contractual relationship with you, based on our legitimate interests;
- To conduct reference checks. We will engage in these activities to comply with a legal obligation or based on our legitimate interests;
- To respond to your inquiries and communicate with you about your application, and to send you information regarding the Careers Site and changes to our terms and policies. We will engage in these activities to manage our prospective contractual relationship with you;
- To comply with or monitor compliance with any applicable law or regulation. We will engage in these activities to comply with a legal obligation or based on our legitimate interests;
- To conduct background checks if we offer you a position. We will engage in these activities to comply with a legal obligation or based on our legitimate interests; and
- To preserve our other legitimate interests, for example, for NetApp's administrative purposes, aggregate management reporting, internal training, and as generally required to conduct our business within NetApp and its affiliates.

The information about you will be added to NetApp's international candidate database and can be retained and used to consider you for opportunities at NetApp and its affiliates other than the one(s) for which you apply. If you do not wish us to do this, please contact us at the address in the "Contact Us" section below. If we hire you, personal information we collect in connection with your application can be incorporated into our human resources system and used to manage the new-hire process; any such information can become part of your employee file and used for other employment-related purposes.

Providing personal information to us through the Careers Site is voluntary. However, if you do not provide sufficient information, NetApp may be unable to consider your employment application or, if you are hired, your subsequent promotion, transfer or relocation.

3. DISCLOSURE AND TRANSFER OF INFORMATION

NetApp shares personal information with subsidiaries that are involved in evaluating candidates for a given position. NetApp, Inc. will remain responsible for personal information that is jointly used with subsidiaries. You can consult the list and location of our subsidiaries via the Annex at the end of this Privacy Policy (Page 9).

We will limit access to personal information to personnel with a business need to know the information for the purposes described in this Policy, including personnel in the recruiting, human resources and information technology departments, in the department responsible for the position for which you are applying, and in related functional areas.

NetApp also shares personal information with our third-party service providers to facilitate services they provide to us, including hosting and operating the Careers Site, recruiting assistance, and background check processing.

Disclosing your personal information can include transferring personal information to other countries, including the United States or any other country in which we or our service providers have operations. If you are located in the European Economic Area (the “EEA”) this may include countries outside of the EEA. Some of these countries are recognized by the European Commission as providing an adequate level of protection according to EEA standards (the full list of these countries is available [here](#)). As for transfers to other countries, we have put in place adequate measures, such as binding corporate rules to protect your information. You may obtain a copy of these measures by contacting us using the address in the ‘Contact Us’ section below or you can find our BCR’s [online](#).

4. OTHER USES AND DISCLOSURES OF INFORMATION

We also use and disclose your personal information as necessary or appropriate, especially when we have a legal obligation or legitimate interest to do so:

- To comply with applicable law.
 - This can include laws outside your country of residence.
- To respond to requests from public and government authorities.
 - These can include authorities outside your country of residence.
- To cooperate with law enforcement.
 - For example, when we receive law enforcement requests and orders.
- For other legal reasons.
 - To enforce our terms and conditions; and
 - To protect our rights, privacy, safety or property, and/or that of our affiliates, you or others.
- In connection with a sale or business transaction.
 - We have a legitimate interest in disclosing or transferring your personal information to a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings).

5. DATA RETENTION

We will retain personal information for the period necessary to fulfil the purposes outlined in this Policy unless a longer retention period is required or permitted by law. The criteria used to determine our retention periods are: (i) the duration of the application process (If your application for the position is unsuccessful, NetApp may retain your information on file in NetApp’s international candidate database for an additional 2 years to consider you for opportunities at NetApp and its subsidiaries other than the one(s) for which you apply. At the end of that period, or once you object, your information is deleted or destroyed); (ii) as long as we have an ongoing relationship with you; (iii) as required by a legal obligation to which we are subject; (iv) as advisable in light of our legal position (such as in regard of applicable statutes of limitations, litigation, or regulatory investigations).

We may remove personal information for inactive accounts from our database, subject to any applicable legal or regulatory obligations. Furthermore, NetApp can delete personal information about you (including your CV/résumé) from our database at any time and without providing any reason. Therefore, please retain your own copy of the personal information provided to us.

6. COOKIES AND SIMILAR TECHNOLOGIES

We and our service providers use “cookies” and similar technologies on the Careers Site. Please see our [NetApp Cookie Policy](#) for more information.

7. INDIVIDUAL RIGHTS REQUESTS

If you register on the Careers Site, you may access, review, and change or delete your personal information stored therein by logging into the Careers Site and updating your account information. The updated profile will be used as the default the next time you apply for a job using your account online. To change personal information that you have already submitted for consideration for a specific position, please update your profile and resubmit your application for that position. We encourage you to promptly update your personal information if it changes or is inaccurate.

You may, where permitted by applicable law, (i) request to review, access, correct, update, restrict, suppress or delete your personal information; (ii) request that we cease using your personal information; or (iii) request a copy or portability of your personal information. Please make your request by contacting us as indicated below in the “*Contact Us*” section. We will respond to your request consistent with applicable law.

In your request, please make clear what personal information you would like to access or have changed, whether you would like to have personal information that you have provided to us suppressed from our database or otherwise let us know what limitations you would like to put on our use of your personal information.

For your protection, we only implement requests with respect to the information associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request. We do this by verifying your ID. Please note that certain personal information may be exempt from such requests pursuant to applicable data protection laws or other privacy laws and regulations.

ADDITIONAL INFORMATION FOR THE EUROPEAN ECONOMIC AREA

If you are located in the European Economic Area (EEA), you also may:

- Contact our data protection officer (DPO) responsible for your country or region, if applicable. Please contact us at ng-privacy@netapp.com for a list of our data protection officers. If located in the EEA, you may avail of all individual rights guaranteed under the General Data Protection Regulation (GDPR.)

(The GDPR provides individuals with eight data rights: the **right to be informed**, the **right of access**, the **right to rectification**, the **right to erasure**, the **right to restrict processing**, the **right to data portability**, the **right to object**, and the **rights regarding automated profiling and decision making**. These rights give individuals more control over their data and allow them to gain, delete, or move their information. Organizations must understand these rights to ensure GDPR compliance.)

- Lodge a complaint with a data protection authority for your country or region, or in the place of the alleged misconduct. The contact details of all EEA national data protection authorities are available [here](#).

8. SECURITY

NetApp takes the security of your information very seriously. NetApp has implemented robust internal policies and controls in place to ensure that your information is not lost, accidentally destroyed, misused or disclosed and is not accessed except by our employees in the proper performance of their duties. We deploy reasonable and adequate organizational and technical security measures to ensure that your personal details are secured. For more information, please get in touch via the “Contact Us” section below. NetApp hereby disclaims, as far as permitted by local laws, any liability for itself and its affiliates and contractors for any personal information we collect in connection with your application that is lost, misused, illegally accessed, disclosed, altered or destroyed or not timely delivered to our Careers Site.

9. LINKS TO THIRD-PARTY WEBSITES

This Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties, including any third party operating any website or service to which the Careers Site links. The inclusion of a link on the Careers Site does not imply endorsement of the linked site or service by NetApp or our affiliates.

10. AUTOMATED EMPLOYMENT EVALUATION

NetApp may use an automated employment evaluation tool or similar tool as one of several tools, actions, and/or steps to assist NetApp’s screening of candidate applications for various hiring needs. Currently, when addressing certain hiring needs, NetApp uses the Eightfold Matching Model tool which can provide an initial scoring/ranking of a candidate’s skills and experience as found in the application and/or supporting documentation provided by such candidate, in comparison to the NetApp designated key requirements of a specific role. Additionally, the tool may be used to help review and /or rank internal employees seeking promotion or other internal mobility.

An independent audit of the Eightfold Matching Model tool can be found at <https://eightfold.ai/nyc-eightfold-matching-model/>.

Please review NetApp’s Data Privacy Notice/Policy <https://www.netapp.com/company/legal/privacy-policy/> for more related to NetApp’s, use, processing, storage, transfer, and disclosure of personal information that we may collect or observe.

Candidates may request an alternative selection process which will not be subject to the Eightfold matching tool or to any electronic automated employment evaluation by contacting NetApp at careers@netapp.com. Candidates who have privacy related questions or want to request additional information on the source of data, type of data, and/or collection of data related to the candidate review process, should contact NetApp at careers@netapp.com and/or ng-privacy@netapp.com.

Reasonable accommodation requests for any part of the selection and hiring process should be sent to accessibility@netapp.com.

11. DIVERSITY

NetApp is an equal opportunity employer, which means we offer equal treatment to all applicants. NetApp does not discriminate, either directly or indirectly, on legally protected grounds: race, colour, sex, gender identity, sexual orientation, nationality, national origin, ethnic origin, religion, beliefs or creed, age, disability, marital status, veteran status or genetic information in any area of recruitment.

12. LAW APPLICABLE TO JOB APPLICATION

The Careers Site allows you to apply for jobs worldwide, as a benefit of NetApp's centralized global recruitment function. This Careers Site is operated from the United States. Accordingly, any personal information you submit to the Careers Site will be collected in the United States and will be subject to U.S. laws. However, if we share your personal information with an affiliate located in another country in its capacity as a potential employer, the affiliate will handle your personal information in accordance with this Policy. Any hiring or other employment-related decisions will be made by the hiring affiliate in accordance with the laws of the country where the job will be located.

13. ABOUT CHILDREN

The Careers Site is not intended for minors under the age of 18.

14. CURRENT PERSONNEL OF NETAPP

If you currently work for NetApp or one of our affiliates, you must be eligible to apply for a different position within NetApp to use the Careers Site. If you accept such a position, your benefits programs and Human Resources policies may change. Please consult with the HR manager for the new position concerning application eligibility, benefit programs, and HR policies applicable to that position.

The Careers Site is not intended for distribution to, or use by, any person or entity in any jurisdiction or country where such distribution or use would be contrary to local law or regulation.

15. CHANGES TO THE POLICY

We reserve the right to amend this Policy at any time in order to address future developments of NetApp, the Careers Site or changes in industry or legal trends. The "Last Updated" legend at the top of this Policy indicates when this Policy was last revised. Any changes will become effective when we post the revised Policy on the Careers Site.

16. CONTACT US

If you have questions about this Policy or requests, please feel free to contact us at ng-privacy@netapp.com.

Please do not include sensitive information in your emails to us.



Version June 2023

Signed: NetApp Privacy Team (Legal Department)

June 2023

ANNEX (List of NetApp Group Entities as of June 2023)

Company Name
Cloud Jumper LLC
CloudCheckr LLC
CloudCheckr Ltd
Cognigo Research Ltd
Credativ GmbH
Credativ LLC
Data Mechanics LLC
Data Mechanics SAS
Decru B.V.
Instaclustr Pty Ltd
Instaclustr US Holding, Inc.
Instaclustr, Inc.
NA Technology C.V.
NA Technology CV (Barbados Branch) - Formed under NA Global Holdings Ltd.
NetApp (China) Limited
NetApp (Hong Kong) Limited
NetApp (Hong Kong) Limited (Taiwan Branch)
NetApp (Shanghai) Commercial Co., Ltd (ShenZhen Branch)
NetApp (Shanghai) Commercial Co., Ltd.
NetApp (Shanghai) Commercial Co., Ltd. (Beijing Branch)
NetApp (Shanghai) Commercial Co., Ltd. (Chengdu Branch)
NetApp (Shanghai) Commercial Co., Ltd. (Dalian Branch)
NetApp (Shanghai) Commercial Co., Ltd.(Guangzhou Branch)
NetApp (Thailand) Limited
NetApp Argentina S.R.L.
NetApp Asia Pacific Holdings B.V.
NetApp Australia Pty Ltd
NetApp Austria GmbH
NetApp B.V.
NetApp B.V. (Slovakia Public Sector Partner registration)
NetApp B.V.(Kazakhstan Representative Office) \
NetApp B.V.(Philippines Representative Office)
NetApp B.V.(Qatar Representative Office)
NetApp B.V.(Russia Representative Office)
NetApp B.V.(United Arab Emirates Representative Office)
NetApp Belgium BV
NetApp Brasil Solucoes de Gerenciamento e Armazenamento de Dados Ltda

NetApp Canada Ltd.
NetApp Capital Solutions, Inc.
NetApp Chile Limitada
NetApp Denmark ApS
NetApp Deutschland GmbH
NetApp Finland Oy
NetApp France SAS
NetApp G.K.
NetApp Global Holdings Ltd.
NetApp Global Limited
NetApp Holding & Manufacturing B.V.
NetApp Holdings Limited
NetApp Iceland ehf.
NetApp India Marketing and Services Private Limited
NetApp India Private Limited
NetApp International Holdings Limited
NetApp Ireland Limited
NetApp Israel R&D Ltd.
NetApp Israel Sales Limited
NetApp Italia S.r.l.
NetApp Korea Limited
NetApp Luxembourg S.a.r.l
NetApp Malaysia Sdn. Bhd.
NetApp México S. de R.L. de C.V.
NetApp New Zealand Limited
NetApp Nigeria Limited
NetApp Norway AS
NetApp Poland Sp. spółka z ograniczoną odpowiedzialnością
NetApp R&D LLC
NetApp Russia LLC
NetApp Singapore Pte. Ltd.
NetApp South Africa (Pty) Ltd
NetApp Spain Sales SL
NetApp Sweden AB
NetApp Switzerland GmbH
NetApp Teknoloji Limited Sirketi
NetApp U.S. Public Sector, Inc.
NetApp UK Holdings Limited
NetApp UK Ltd
NetApp US Holdings, Inc.

NetApp Vietnam Company Limited

NetApp Vietnam Company Limited - Hanoi Branch

NetApp VTC, Inc.

NetApp, Inc.

NetCache, Inc.

Network Appliance (Sales) Limited

Network Appliance Saudi Arabia LLC

Plexistor Ltd.

PT. NetApp Indonesia

SolidFire B.V.

SolidFire International, LLC

Spotinst Ltd.

Spotinst, LLC

StackPointCloud, LLC

Talon Storage Solutions, Inc.
