



# 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://www.netapp.com/us/careers/index.aspx> (“**Careers Site**”), through professional social media 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 data 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 data which may qualify as sensitive data under applicable law, except where such data is legally required. Sensitive data 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 data you submit through the Careers Site must be true, complete and not misleading. Submitting inaccurate, incomplete, or misleading data 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 data 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 data 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; and
- Professional social media sites.
- 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, 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 data 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 data, 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 [here](#).

We will limit access to personal information to personnel with a business need to know the data 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 [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en)).

As for transfers to other countries, we have put in place adequate measures, such as binding corporate rules to protect your data. 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, and for a reasonable period thereafter to consider you for other relevant openings; (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. PASSIVE DATA COLLECTION: 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. CHOICES AND ACCESS**

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, request to review, access, correct, update, restrict suppress or delete your personal information; request that we cease using your personal information as permitted by applicable law; or 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 data 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. Please note that certain personal information may be exempt from such requests pursuant to applicable data protection laws or other laws and regulations.

## **8. SECURITY**

We seek to use reasonable organizational, technical and administrative measures to protect personal information within our organization. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us in accordance with the “*Contact Us*” section below.

## **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. 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.

## **11. LAW APPLICABLE TO JOB APPLICATION**

The Careers Site allows you to apply for jobs world-wide, 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.

## **12. ABOUT CHILDREN**

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

## **13. 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.

## **14. 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.

## **15. CONTACT US**

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

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



### **Additional information for individuals in the EEA**

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

- Contact our data protection officer responsible for your country or region, if applicable. Please contact us at [ng-privacy@netapp.com](mailto:ng-privacy@netapp.com) for a list of our data protection officers.
- Lodge a complaint with a data protection authority for your country or region, or in the place of the alleged misconduct.

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