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## Observe Job Applicant Privacy Notice

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### Introduction

Observe, Inc. (the “**Company**”, “**we**”, “**us**”, “**our**”), respects the privacy and data protection rights of our job applicants.

This privacy notice (“**Notice**”) describes the personal information we have about you as a job applicant and your rights concerning that information. It also explains the policies and procedures we use regarding your personal information during our selection and recruitment process.

This Notice may be amended from time to time. We will post any change to this Notice on our website a reasonable time in advance of the effective date of the change. If we have your email on record, we will also proactively email you if we make material changes to this Notice.

### Contact Us

If you have any questions, comments or concerns regarding this Notice or our processing of your personal information, please contact us at [hello@observeinc.com](mailto:hello@observeinc.com) or by mail:

Observe, Inc.  
520 S El Camino Real # 400  
San Mateo, CA 94402  
United States

### **Purposes of Processing your Personal Information**

We collect and process personal information about job applicants like you for the purpose of conducting a proper recruitment process, assessing how suitable you are for the position, deciding whether to extend an offer you and, where relevant, extending an offer to you.

In extraordinary cases, we will also use the information we collect to handle complaints and lawsuits relating to your candidacy. For example, if you or a third-party file a complaint or a lawsuit about our handling of your candidacy, or if we need to file a complaint or a lawsuit relating to your candidacy to protect our legal rights.

We also process your personal information to consider you for future openings at the Company and our corporate group affiliates, other than the specific position to which you initially apply. For example, we may contact you later if a similar position subsequently becomes available, which we believe may be relevant for you.

### **Personal Information We Collect**

The personal information we collect about you as a job applicant typically includes your name, contact details, address, qualifications, skills, hobbies and leisure activities, employment history, experience and education history, information presented in your resume/CV (Curriculum Vitae) or cover letter, your employment preferences, your right to work in the country in question, photos and links to webpages or websites you operate online, performance of at home-assignment, and additional information obtained in your interviews.

We also collect additional information that you choose to share with us, such as your current and historic salary information and salary expectations. If you voluntarily provide us with information about your gender, racial or ethnic origin, or health condition, we will also process that information.

We also collect the names and contact details of your application references, as well as information we receive through reference letters or in our discussions with those references. It is your responsibility to obtain consent from those you provide as references before you give us their contact information.

You are not under any legal obligation to provide us with your personal information. However, we will not be able to consider your application for the position without this information (with the exception of information you voluntarily choose whether to provide us).

We also obtain information about you from other third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks (where permitted by law).

We do not recruit or employ individuals under the age of 18. We do not knowingly collect personal information about individuals under that age.

### **Methods and Sources for Collecting your Personal Information**

The Company collects the information from several sources:

- Directly from you as an applicant, through documents you provide us, application forms you complete, and interviews we conduct with you.
- Recruiters and recruitment or placement agencies.
- References and past employers.
- Publicly accessible sources, such as LinkedIn and Facebook, where information about you is publicly available.
- Background checks.
- The Company also uses applicant screening assessment tests and questionnaires that we will ask you to complete. The information, results and assessments obtained through these tools relate to your skills, characteristics, hobbies, and leisure activities. The Company will use these to evaluate if you are suitable for the position and the Company.

### **Data Retention and Future Use**

We retain information about your candidacy for the initial period necessary for the recruitment process. We then retain the information for an additional period of 36 months for the purpose of considering you for other potential job opening, and in case the information is necessary to handle legal claims related to the application.

Personal information of unsuccessful applicants will be deleted within 36 months of the decision. We will retain the information of candidates we ultimately hire for as long as we employ them and for an additional period of 7 years thereafter.

### **Disclosing Your Personal Information**

First and foremost, your information will be used with our human resources and recruitment team, the manager overseeing the position to which you are applying, and at times, also other members of the team which the position you are applying to belongs.

We will also share some of your information with outside parties that we hire to provide services relating to the purposes mentioned above, such as screening and placement agencies, external advisors, background check providers, and other service providers.

If the operation of our business is organized within a different framework, or through another legal structure or entity (such as due to a merger or acquisition), we will share your information with the target entity of the merger, acquisition, or reorganization, and with legal counsels, and

advisors. We do so for the purpose of facilitating the structural change in the operation of our business.

In the extraordinary case of complaints and lawsuits relating to your candidacy, we will also disclose your information to our legal counsels.

If a law or binding order requires us to, we will disclose your personal information to the parties required under the law or order.

If a recruiting firm introduced your candidacy to the Company, and you successfully complete the recruitment process and are hired, we will provide the recruitment firm an indication of your successful candidacy and your expected salary. This is necessary for charging the finder's fee that the Company pays the recruiting firm.

In any case, we do not sell your personal information to third parties.

**Information Security**

We implement measures designed to secure your personal information and protect it from unauthorized disclosure, use or copying. However, although efforts are made to secure the applicant's personal information, we cannot guarantee its absolute protection.

**Additional Information for Individuals Residing in California**

If you are an individual residing in California, we provide you with the following information pursuant to the California Privacy Rights Act (CPRA). This is also the information we have collected in the past 12 months.

We do not sell your personal information and have not done so in the past 12 months.

We also do not share your personal information for online behaviorally targeted ads and have not done so in the past 12 months.

<b>Categories of Personal Information</b>	<b>Specific Types of Personal Information Collected</b>	<b>Business or commercial purposes pursuant to the CPRA</b>	<b>Specific Details on the Business Purpose</b>
<b>Identifiers</b>	Name, email address, phone number, residential address, photograph, contact information of references.		● Recruitment – Reviewing your candidacy for the open position you applied for
<b>Information that identifies, relates to, describes, or is capable</b>	Date of birth and your LinkedIn profile information, information presented in your resume/CV (Curriculum Vitae)	● Auditing related to a current interaction with you	

<b>of being associated with, a particular individual</b>	or cover letter, your right to work in the U.S.	<ul style="list-style-type: none"> <li>● Detecting security incidents and protecting against malicious, deceptive, fraudulent or illegal activity</li> <li>● Exercising or defending our legal rights and the rights of our employees, customers, and agents</li> <li>● Administration of our operations, including for safety purposes</li> <li>● Compliance with applicable laws and regulations</li> </ul>	<ul style="list-style-type: none"> <li>● Defending or asserting legal claims relating to your candidacy</li> <li>● Managing the Company's ongoing business</li> <li>● Retaining your candidacy for future positions beyond the ones you applied for compensation and payroll</li> </ul>
<b>Professional employment-related information</b>	Details of professional qualifications and skills, employment history, job preferences, current and prior salary information together with salary expectations, details of your current benefit entitlements and other information you provide in connection with your job application, in your curriculum vitae (résumé) and in your cover letter, references, background check and criminal records information.		
<b>Education information</b>	Your professional education		
<b>Characteristics of protected classifications under California or federal law</b>	Gender, racial or ethnic origin, health condition.  These are considered sensitive information under the CPRA. We do not use or disclose this sensitive personal information for purposes other than those specified in the CPRA regulations.		
<b>Inferences drawn from any of the information identified above to create a profile about the Candidate</b>	Assessment of characteristics, skills, abilities and aptitudes		

**Disclosing your information to third parties**

The chart below describes the personal information we disclosed for a business purpose to third parties in the preceding 12 months.

**Categories of personal information (under the CPRA)      Categories of third parties to whom we disclose your information and the specific business or commercial purpose for the disclosure**

<p><i>Identifiers of the applicant</i></p> <p><i>Other information that identifies, relates to, describes, or is capable of being associated with, the applicant</i></p>	<ul style="list-style-type: none"> <li>● With other companies in our corporate group, for the same purposes indicated in the chart above.</li> <li>● With outside legal counsels, for the purpose of handling complaints and lawsuits relating to your candidacy.</li> </ul>
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*Professional or employment-related information*

*Education information*

*Characteristics of protected classifications under California or federal law*

*Inferences drawn from any of the information identified above to create a profile about the applicant*

- With third parties to which a law or binding order requires us to disclose your information to. Our purpose in doing so complying with our obligations under the law or the binding order.
- With the target entity of our merger, acquisition or reorganization, and legal counsels, and advisors, for the purpose of facilitating the structural change in the operation of our business within a different framework, or through another legal structure or entity (such as due to a merger or acquisition).

### **Your rights under the CPRA if you are a resident of California**

#### **Knowing the personal information, we collect about you**

You have the right to know:

- The categories of personal information we have collected about you.
- The categories of sources from which the personal information is collected.
- Our business or commercial purpose for collecting personal information.
- The categories of third parties with whom we share personal information, if any.
- The specific pieces of personal information we have collected about you.

#### **Right to deletion**

Subject to certain exceptions set out below, on receipt of a verifiable request from you, we will:

- Delete your personal information from our records; and
- Direct any service providers to delete your personal information from their records.

Please note that we may not delete your personal information if it is necessary to:

- Complete the transaction for which the personal information was collected, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract between you and us.
- Help to ensure security and integrity to the extent the use of the consumer's personal information is reasonably necessary and proportionate for those purposes.

- Debug to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act.
- Engage in public or peer-reviewed scientific, historical, or statistical research that conforms or adheres to all other applicable ethics and privacy laws, when our deletion of the information is likely to render impossible or seriously impair the ability to complete such research, provided we have obtained your informed consent.
- Enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us and compatible with the context in which you provided the information.

or

- Comply with an existing legal obligation.

We also will deny your request to delete if it proves impossible or involves disproportionate effort, or if another exception to the CPRA applies. We will provide you with a detailed explanation that includes enough facts to give you a meaningful understanding as to why we cannot comply with the request to delete your information.

### **Right to correct inaccurate personal information**

If we receive a verifiable request from you to correct your information and we determine the accuracy of the corrected information you provide, we will correct inaccurate personal information that we maintain about you.

In determining the accuracy of the personal information that is the subject of your request to correct, we will consider the totality of the circumstances relating to the contested personal information.

We also may require that you provide documentation if we believe it is necessary to rebut our own documentation that the personal information is accurate.

We may deny your request to correct in the following cases:

- We have a good-faith, reasonable, and documented belief that your request to correct is fraudulent or abusive.
- We determine that the contested personal information is more likely than not accurate based on the totality of the circumstances.

- Conflict with federal or state law.
- Other exception to the CPRA.
- Inadequacy in the required documentation
- Compliance proves impossible or involves disproportionate effort.

We will provide you a detailed explanation that includes enough facts to give you a meaningful understanding as to why we cannot comply with the request to correct your information

### **Protection against discrimination**

You have the right to not be discriminated against by us because you exercised any of your rights under the CPRA.

### **Exercising your CPRA rights by yourself or through an authorized agent**

If you would like to exercise any of your CPRA rights as described in this Notice, please contact us by e-mail at [hello@observeinc.com](mailto:hello@observeinc.com) or by mail:

Observe, Inc.  
520 S El Camino Real # 400  
San Mateo, CA 94402  
United States

We will ask you for additional information to confirm your identity and for security purposes, before disclosing the personal data requested to you, by using a two or three points of data verification process, depending on the type of information you require and the nature of your request.

You may also designate an authorized agent to make a request under the CPRA on your behalf. To do so, you need to provide the authorized agent written permission to do so and the agent will need to submit to us proof that they have been authorized by you. We will also require that you verify your own identity, as explained above.

### **Our response to your requests**

We will respond to your requests within 45 days (or within 90 days, where the law permits, and we determine it necessary considering the complexity and number of the requests you have filed). If we take longer than 45 days, we will inform you of the extension within the initial forty-five-day response period, together with the reason for the extension.

We may deny your request in the following cases:

- If we believe in good faith, based on reasons which are documented in writing, that your request is fraudulent or is an abuse of your rights under applicable law.
- If we conclude that the request is irrelevant, based on all the circumstances at issue (e.g., if you requested the correction of your personal information, and we find that it is likely to be accurate).



- If it is contrary to federal or state law.
- Due to discrepancy in the required documentation.
- If the fulfilment of your request turns out to be impossible or involves disproportionate effort.

We will provide you with a detailed explanation including sufficient facts, to enable you to meaningfully understand why we cannot fulfil your request.