

Xactly Corporation, and its affiliates (“Xactly” or “us” or “we”) are committed to protecting the privacy of individuals whose personal data it collects (“you” or “your”). This Applicant Privacy Policy (“Policy”) describes the personal data Xactly collects, uses, and discloses during its recruiting and candidate evaluation processes and the choices that we offer regarding the collection and use of your data.

## **Personal Data Collected**

Xactly may collect personal data directly from you when you apply for an open position on our website or on a third-party website that hosts one of our job postings or when you contact someone directly at Xactly inquiring about employment. We may also collect data about you from a referral source, like, as applicable, a current Xactly employee who believes you are a good fit for a role or your referees (details of whom you will have provided). Here are additional details about the type of data Xactly may collect from prospective employees:

- your name, mailing address, email address, and telephone numbers;
- details of your qualifications, skills, experience, education, and employment history;
- any other details you choose to share via an email, cover letter, referees or other communication with Xactly, our recruiting staff, or other employees;
- your responses to and any results of tests or skill-based assessments conducted during an interview;
- if you are offered employment, we may collect more detailed information like your date of birth, government issued identification numbers, and previous residences;
- when you visit our website, we may automatically collect information sent to us by your device, as outlined in our [Corporate Privacy Policy](#), such as information about your operating system and browser, IP address, the webpage you were on before you came to our website, and the pages you access on our site; and
- when you elect to participate in a voluntary survey regarding your experience with Xactly’s recruiting process.

## **How we use your data**

Xactly may use your data to identify you as a potential candidate, evaluate your qualifications, determine if you are a good match for any of our open positions, or match you with other opportunities at Xactly. We may also use your data to contact you about your application and to ensure we are complying with our legal obligations, such as confirming your eligibility to work. If you are offered employment with us, we use your data to conduct a background check to verify some information you have provided. If you are hired as an employee, we may use your data to create your employment record and for other associated business purposes.

## **Why we share your data**

Xactly contracts with third party service providers to help us with a variety of tasks related to the recruitment process, background checks, and onboarding. Such service providers are contractually obligated to use and protect your data in a manner consistent with our privacy policy and applicable laws and we only disclose such data as is needed for our service providers to deliver their services. For example, we may share your data with a third party that

helps us track applicants through the various stages of the recruitment and interview process. Additionally, if you are offered employment and consent to a background check, we may share your data with our vendor who performs background checks on our behalf.

Xactly reserves the right to share your data if required by law or to comply with a judicial proceeding, court order, or valid legal process. We may also disclose your data to protect the rights and property of Xactly, our agents, employees, partners and customers, including to prevent or stop an attack on our systems or network or to prevent spam or attempts to defraud our users.

### **Applicants from the European Economic Area, Switzerland, and the United Kingdom**

We collect and process information about applicants based in the European Economic Area, Switzerland, and the United Kingdom where we have a basis to do so under applicable law. Xactly relies on your consent to process your data for specific purposes, like to process your application or undertake a background check. We process your data based on our legitimate interest of evaluating your candidacy during the recruiting process and to ensure we are complying with legal obligations, such as confirming your eligibility to work.

Xactly may process and store your data in your region or we may transfer it to the United States or to other countries in which we have affiliates, subsidiaries, or service providers. You can find a list of our global offices at <https://www.xactlycorp.com/company/contact-us>. If we transfer your data, we use legal mechanisms like contracts to make sure there is an adequate transfer mechanism in place.

### **How to Manage Your Personal Data**

You have the right to make a request to Xactly to view, edit, and delete the personal data that you have previously provided to us during the recruitment and hiring process. We may ask you to verify your identity and for more information about your request. Please review the Contact Us section below. Requests to manage your data will be addressed within a reasonable timeframe.

### **Retention of Applicant Data**

Xactly retains your personal data to evaluate your qualifications and match you with open positions that might be a good fit. If we do not select you for a position, we retain your personal data for up to 18 months because we may consider you for future positions. However, if you do not want Xactly to retain your information and consider you for future roles, you may contact us to manage your data. See the Contact Us section below.

### **Changes to this Applicant Privacy Policy**

Xactly reserves the right to change this Policy as needed to meet any applicable laws or business processes and policies.

### **Contact Us.**

If you have any questions or concerns about this Policy, please email us at [privacy@xactlycorp.com](mailto:privacy@xactlycorp.com). Xactly is the data controller for the personal data described in this Policy. We are located at 505 South Market Street, San Jose, CA 95113. Our telephone number is (+1) 866-259-1354.