Notice of Privacy Practices to

Candidates

Date: October 12, 2020

This is an overview of privacy practices of Bristlecone, Inc., 10 Almaden Blvd., Suite 990, San Jose, CA 95113 USA (hereinafter referred to as the "**Company,**" “**we**,” “**us**,” or “**our**”) regarding candidates for employment at our Company who are California residents and for candidates for positions as independent contractors, workers placed at our Company by an agency, temporary workers, interns, and other workers at Bristlecone (hereinafter collectively referred to as "**Candidates** "). This notice describes the collection and management of personal information (hereinafter "**Personal Information**") from Candidates. It also covers how that personal information will be collected, stored, processed, and used.

Our employees receive a Notice of Workplace Privacy Practices when they begin their employment with Bristlecone. The terms of that notice will apply if you become an employee of Bristlecone and, in that case, its terms will take the place of the terms of this notice.

In 2018, the State of California enacted the California Consumer Privacy Act (CCPA). This notice assists in our compliance program for CCPA and other applicable privacy laws.

## ContACT FOR Privacy questions or complaints

Please direct any questions or complaints about this notice or the Company’s privacy practices to:

Mr. Kulashekar Raghavan, CFO,

10 Almaden Blvd, Suite #990, San Jose, CA 95113

[privacy@bcone.com](mailto:privacy@bcone.com)

1-800-656-1019

## PERsonal information we collect and purposes of use

We will not collect personal information from Candidates other than the personal information described in this Section II without first informing them and giving them the opportunity to object to such collection, unless applicable law requires or permits us to collect that personal information. Nonetheless, if we do not have sufficient personal information to evaluate a Candidate and to possibly have the Candidate work at Bristlecone, the Company may have no choice but to not accept the Candidate’s application.

We require that our Candidates be adults. We do not collect personal information from minors.

## Summary of personal information collected and used

We collect a variety of categories of personal information from Candidates and the service provider giving us background checking information. The table below summarizes the categories of personal information we collect and the business purposes for which the categories of personal information will be used. Unless you submitted another application to become a Candidate in the previous 12 months, the only personal information we have collected from you in the previous 12 months is the information on your current application shown in the table below and related documentation you have provided to us with the application.

| Categories of Personal Information | | Purposes of Use |
| --- | --- | --- |
| “Identifiers” such as a real name, alias, postal address, telephone number or other unique personal identifier, email address, social security number, driver’s license number, passport number, state identification card, or other similar identifiers. | | We collect and use Candidates’ names, postal addresses, telephone number, email addresses, and identification credentials (such as a passport, driver’s license, or state identification card) to identify Candidates and manage their applications. Email addresses are used as account names when job Candidates apply for jobs online using our employment portal. We collect contact information of Candidates’ references and past supervisors for purposes of checking Candidates’ prior work and educational histories. |
| Information (other than Identifiers already described above) that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to: | Signature | We collect signatures from Candidates on applications they complete and any signed documents they submit with their application, such as a cover letter. The purpose of collecting signatures is to show the assent of Candidates to the application and related documentation. |
| Education, employment, and employment history | We collect information about Candidates’ education, employment, and employment history. We may collect resumes and cover letters. We use such information to evaluate the applications of such Candidates. |
| Criminal and background checking information | Once an offer is made, the offer is subject to satisfactory completion of a comprehensive background check. We obtain background checking information from a third-party service provider, subject to applicable law, which may include information about any criminal records about your background. For roles related to finance or senior executives, we may also conduct a check of your credit history. Note: We do not have access to personal information that you provide to our background checking service provider until a report summarizing any results of the background check is provided to us. Our service provider has its own privacy policy concerning the personal information you provide to it, and you have certain privacy rights under federal and state law disclosed in its privacy policy and its disclosures to you. |
| Medical information | If a Candidate will be working as a Bristlecone consultant for a customer that requires a drug or alcohol test as a condition of conducting work at the customer’s location, we may require you to undertake a drug or alcohol test and collect the results of such testing, subject to applicable law. We will use such information to enable the Candidate to work at the requesting customer’s location. If we request a drug or alcohol test, we will provide an additional privacy notice to you at that time specific to the testing procedure. |
| Characteristics of protected classifications under California or federal law. | | If you become an employee of Bristlecone, we may receive information from you about characteristics of certain protected classification for purposes of data for diversity monitoring, where you volunteer to provide such information and where the collection of such data is allowed by law (e.g., race, ethnicity, and gender). We are also required by federal law to collect and report race/ethnicity and gender to the Equal Employment Opportunity Commission by job category.  **We only collect such information after a person has been hired as an employee. Please note providing such information to Bristlecone is strictly voluntary. We do not collect such information from independent contracts, temporary workers, interns, or any other non-employee workers.** |
| Internet or other electronic network activity information, including, but not limited to, information regarding a Candidate’s interaction with an Internet Web site, application, or advertisement. | | Candidates for employment may complete a job application on a hosted recruitment website and provide us with information described above. Also, Candidates may send us emails, text messages, and other electronic communications. If we receive such electronic information from Candidates, we will use it for evaluating and managing their applications. We also may collect publicly available information from websites or social media, including information that you choose to voluntarily submit to us in connection with your application. |
| Professional or employment­-related information. | | We collect information about Candidates’ professional and employment history and goals. We use such information to evaluate the applications of such Candidates. |
| Education information | | We may collect educational transcripts from any job Candidates for which we may need to file for a work permit with the U.S. Citizenship and Immigration Services. We may provide that transcript to an immigration law firm to assist with the work permitting process. See Section III(2) below. |
| Inferences drawn from education, employment, employment history, and professional or employment-related information relating to workers’ characteristics, preferences, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes. | | We may collect this information in connection with notes taken in the job application process or in interviews. This information is collected for the purpose of assessing a Candidate’s application. |

If we collect your personal information for purposes covered in this policy and seek to use the personal information for a different purpose not covered by this policy, we will notify you and, where required, seek additional consent to use personal information for the other purpose

## Further Disclosures regarding purposes for use of personal information we collect

Employment, employment history, professional, and employment-related information categories of personal information (“Employment History”) include, but are not limited to salary history, work and compensation history, planned salary, earnings, career development, performance history information (including performance appraisals from references), work restrictions and accommodations requested, decisions to offer work, resumes, job applications, employment references and background checking and verification information. Employment History also includes a Candidate’s past work performance.

When Candidates for employment apply for positions using a job application or our website, we collect Identifiers from Candidates to process their applications. We also collect Identifiers about a Candidate when an agency seeks to place a contractor, temporary worker, or other non-employee worker with Bristlecone. Candidates for independent contractor roles or for internships may provide Identifiers to us when applying for a role with Bristlecone.

We may collect and review educational background and Employment History to consider a Candidate for a position and, where necessary, to facilitate obtaining a work permit for employment Candidates with visa requirements. Notes of interviews for positions may include inferences drawn from education and Employment History relating to Candidates’ characteristics, preferences, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes. We may check employment references and background checking and verification information in the process of considering a Candidate’s application.

## Disclosure of personal information

We maintain your application file as part of our confidential records and allow access to such files only on a “need to know” basis by authorized personnel. Except for the disclosures for business purposes listed below, the Company will not sell, distribute, transfer, or lease your personal information to third parties. The Company has not sold your personal information in the last 12 months.

## BRISTLECONE GROUP COMPANIES

The Company may transmit personal information about Candidates in the form of master data, contact information, and copies of any applicable agreements with the Candidate for storage in a human resources management system and for processing and use of such personal information by various Bristlecone Group Companies for the purpose of considering Candidates for positions within Bristlecone and managing Candidates’ application process.

## Vendors and service providers

We may share your personal information with vendors or outsource service providers that help us provide information processing facilities needed to process Candidate information. For instance, we may provide additional personal information to service providers concerning criminal background checking to obtain a complete understanding of your background. We will require any such vendors or service providers to manage your personal information with privacy and security safeguards consistent with this privacy notice.

If a Candidate for employment has visa requirements and Bristlecone must assist with an application for a work permit, we may provide personal information to an immigration law firm assisting Bristlecone employment candidates. The immigration law firm will also collect additional personal information directly from the employment candidate. The immigration law firm’s privacy practices are governed by its own privacy practices. Please review its privacy policy to understand the immigration law firm’s privacy practices.

## CERTAIN CUSTOMERS

If a Candidate will be working as a Bristlecone consultant for a customer that requires a drug or alcohol test as a condition of conducting work at the customer’s location, we may require you to undertake a drug or alcohol test and collect the results of such testing, subject to applicable law. We may share the results of testing with the customer to show that you are not misusing drugs or alcohol before having you perform work at the customer’s location.

## legal or regulatory purposes; investigations

From time to time, we may be required to respond to a subpoena, court order, search warrant, administrative or judicial process, requests by law enforcement agencies, or other requests that we must respond to under applicable law. We may disclose your personal information in response to any of these requirements in accordance with requirements under applicable law. Also, we may disclose your personal information to preserve the security of our business information or information processing facilities, resolve disputes, or to investigate any possible wrongdoing.

## Disclosure in connection with corporate transactions

We may share or transfer personal information about you in connection with a merger, acquisition, reorganization, or sale of assets of our business, in the event of bankruptcy, or during the negotiations leading to such an event. We will seek assurances from any buyer that your personal information will be used, shared, maintained, and disclosed consistent with the terms of this privacy notice.

## Security of personal information

We are committed to ensuring that your personal information is secure. In order to prevent unauthorized access or disclosure, we have put in place industry standard administrative, physical, and technical safeguards to secure the personal information we collect. The purpose of these safeguards is to protect personal information against loss, misuse, unauthorized access, theft, modification, or unauthorized disclosure or destruction. Access to personal information is allowed only on a “need to know” basis by authorized personnel.

## Duration of Data Storage

We retain personal information only as long as it is needed for considering your job application. If you are not offered a position, our policy is to destroy applications after 18 months after action is taken on the application.

If you become an employee, we will transfer information from your job application file to your employee personnel file. Retention of information in an employee’s personnel file would then be governed by our Notice of Workplace Privacy Practices.

In addition, the Company is subject to various documentation and preservation obligations under applicable law. The Company will maintain those records containing personal information for the time that the Company must preserve them under applicable law.

## ACCESS AND INDIVIDUAL RIGHTS

Applicable law may afford some Candidates access to documents they sign under certain terms and conditions. Bristlecone will employ reasonable means to keep personal information described in this notice accurate, complete, up-to-date and reliable for its intended use. If the Company does not provide a Candidate access to certain personal information, it will give specific reasons for refusing to do so and provide a contact point for further inquiries.

If you wish to access or correct any personal information we have collected about you, or have any question or dispute concerning our privacy practices, please contact the representative listed in Section I.

In addition, Bristlecone provides California resident Candidates with additional rights described below in this Section VI, although these rights are not yet required by the California Consumer Privacy Act (CCPA). We offer these rights so that Candidates will have confidence that they are applying to a business committed to excellence and protecting the data of Candidates.

## RIght of access

Upon request, we will tell a Candidate the categories and specific pieces of personal information we have collected about that resident in the previous 12 months. In addition, upon request, we will disclose to a California resident Candidate:

* The categories of personal information we have collected about that California resident.
* The categories of sources from which the personal information is collected.
* The business purpose for collecting that California resident’s personal information.
* The categories of third parties with whom we share personal information.
* The specific pieces of personal information we have collected about that California resident (subject to limits under applicable law).

The identity of any person making such a request must be verified as a condition of providing the requested information. See Section VI(5) (Identity Verification)**.**

## Right of deletion

As a Candidate, you may request that we delete any of your personal information that we collected from you and retained by us, subject to certain conditions and exceptions. For instance, we reserve the right to retain personal information needed to:

* Complete the job application process.
* Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity.
* Conduct solely internal uses that are reasonably aligned with the expectations of the California resident based on the California resident’s relationship with us.
* Comply with a legal obligation.
* Use the personal information internally, in a lawful manner that is compatible with the context in which the California resident provided it.

The identity of any person making such a request must be verified as a condition of deleting the personal information as requested. See Section VI(5) (Identity Verification)**.**

## policy against discrimination

It is the policy of Bristlecone not to discriminate against individual California residents for exercising any of their rights under this privacy notice or applicable law.

## how to exercise individual rights

If you are a California resident and you wish to exercise any of the individual rights afforded California residents under this privacy notice, please contact the representative listed in Section I. If an authorized agent is acting on your behalf to exercise these rights, you will need to provide a document showing signed permission for the agent to act on your behalf and confirm that you have provided authorization to the agent to submit a request on your behalf. Alternatively, you may provide a copy of a power of attorney under the California Probate Code showing that the agent has authority to act on your behalf.

## identity verification

Bristlecone will verify the identity of any individual seeking to exercise rights under this privacy notice, either directly or through an authorized agent.

For California residents with a password-protected account on our recruitment website, we can verify your identity by having you access your account and complete a web form to submit a request for your rights or confirm that you made a request.

For California residents that do not have an account on our recruitment website:

* We will verify your identity in response to a request to exercise your individual rights by requiring that you to provide two pieces of information that we already have on file with you, which may include:
  + Items of contact information, or
  + Content of communications you sent to us.
* In addition, in the case of a request for specific pieces of personal information, we will ask for an additional piece of information that we may have in addition to the two pieces requested above, together with a signed declaration under penalty of perjury that the requestor is the California resident whose personal information is the subject of the request or an authorized agent acting on behalf of that consumer.

An authorized agent seeking to exercise rights on behalf of an individual California resident must prove the agent’s authority by:

* Providing a copy of a writing signed by the resident giving the agent permission to act on the resident’s behalf or a power of attorney satisfying California law;
* Verification the California resident’s and authorized agent’s identity under the procedures in this section; and/or
* Communicating with the California resident directly to confirm the status of the agent as authorized to act on behalf of the resident.

Alternatively, we must receive a copy of a power of attorney under the California Probate Code showing that the agent has authority to act on your behalf.

We will not provide or delete information as requested if we are unable to verify the identity of the requestor as required above, if an agent cannot prove authority to act on behalf of an individual, or we have reason to believe that the request is fraudulent. We may ask for additional verification if we suspect fraud, such as a copy of an identification credential from the requestor. We will use any such additional information (not otherwise collected in connection with a job application) strictly for identity verification purposes, and it will be deleted following the completion of the verification process. We may, however, retain any information needed to comply with the CCPA or other applicable law.

## Privacy complaints

If you have a complaint, please provide information relevant to your complaint to the representative listed in Section I. Our privacy team will evaluate your complaint based on the information you provide and send you a response. We may need to ask you for additional information to evaluate your complaint. We will promptly investigate and respond to your communications about a complaint. You may have other rights under law and the right to contact an appropriate regulator in the State of California or in your local jurisdiction.

## aMENDMENTS TO THIS NOTICE

From time to time, Bristlecone may update or amend this notice. If we make an update or amendment to this notice and you are still a Candidate, we will provide a copy of the amended notice to you.