



The Information Company™

# Privacy Notice for Candidates

## Introduction

OpenText collects and processes personal information relating to our Candidates to manage the hiring process. OpenText is committed in being transparent about how we collect and use the information and how we meet our information protection obligations.

For the purposes of this document:

- “Candidate” applies to prospective, current and former candidates for employment or engagement with OpenText.
- “OpenText” means all OpenText group companies.

This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

## Information We Collect

OpenText collects and processes a range of information about you as a Candidate. This regularly includes, to the extent permitted under applicable law, the following:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment/work history;
- if disclosed by you, whether or not you have a disability for which we need to make reasonable adjustments during the hiring process;
- information about your entitlement to work in any country that OpenText may consider you an applicant for;
- desired salary expectations;
- your image and facility access records (including CCTV) should you enter an OpenText facility; and
- Images or pictures attached to your resume or otherwise provided to us by you.

If you provide information about your family or any other third party to us as part of your application (e.g. emergency contacts or referees) then, before providing us with such information, you are responsible for informing the relevant individuals that you will disclose their personal data to us and providing the information in this notice to them.

OpenText may collect personal information in relation to skills and/or competencies assessments in a variety of ways. For example, information might be contained in application forms, your resume, or collected through interviews (in person, on the phone or through video) or other forms of assessment, which may include online tests.

Information will be stored securely in a range of different places, including on your application record within our Human Resources (HR) systems and on other Information Technology (IT) systems (including email). In some cases, hard copy records could also be stored in HR files.

## **Information Collected from Third Parties**

OpenText may collect personal information about you from third parties, such as references supplied by former employers, information from background check providers, as well as information from criminal records checks if applicable and legally permissible in the country of residence. OpenText will seek information from third parties only once a job offer to you has been made and accepted by you and OpenText will inform you before doing so.

## **How We Use Your Information**

OpenText processes personal information based on a combination of legal basis: your consent, for the performance of a contract (including steps before entering into one) and/or because it has a legitimate interest during the hiring process and for keeping records of the process. Processing information from job applicants allows OpenText to manage the hiring process, assess and confirm a candidate's suitability for employment or engagement and decide to whom to offer a job. OpenText may also need to process information from job applicants to respond to and defend against legal claims.

OpenText may process special categories of information for US Candidates, such as information about ethnic origin, sexual orientation or religion or belief to report to the Office of Federal Contract Compliance Programs (OFCCP), if legally required to do so. This information is optional to provide and won't be used to make any hiring decisions. We may also collect information about whether or not applicants are disabled to make reasonable adjustments for candidates who have disclosed to us that they have a disability.

For some roles, OpenText is obliged to seek information about criminal convictions and offences.

## **Who Has Access to Your Information**

Your information will be shared internally at OpenText, for the purposes of hiring. This includes members of the HR and recruitment team, interviewers involved in the hiring process, managers in the business area with a vacancy and IT staff if access to the information is necessary for the performance of their roles. These also may be OpenText affiliates and its vendors working on our behalf as necessary to complete your application. OpenText will not share your information with third parties, unless your application for employment or engagement is successful and an offer of employment or engagement is made, or it is otherwise required by law.

When required for legal reasons we may share your personal information with third parties. This could include, for example, to respond to requests from public and government authorities that regulate or have jurisdiction over OpenText or to cooperate with law enforcement. In some cases, we may share your personal information to protect our rights and property, and those of our affiliates, you or others. We may share your personal information with other parties including professional advisors, such as banks, insurance companies, auditors, lawyers and accountants.

We may also disclose or transfer 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).

## **How We Share Your Information**

OpenText may share personal information with its affiliates and with vendors working on our behalf as necessary to complete your application. OpenText, its affiliates, and/or the vendors may be located in countries outside your country of residence. The transfer to other countries shall be in accordance with data protection legislation (to the extent it applies) which may include an adequacy decision or appropriate safeguards. Appropriate safeguards may include: OpenText and third parties entering into the EU Model Clauses approved by the European Commission.

## **How We Protect Your Information**

OpenText has technical and organizational measure in place to ensure the availability, integrity and confidentiality of your personal information. In addition, we protect people and assets through physical and logical access control systems as part of an overall set of measures to meet security standards and contractual obligations.

## **How Long We Keep Your Information**

If your application for employment or engagement is unsuccessful, OpenText will generally hold your information on file for 12 months after the end of the relevant hiring process. If you agree to allow us to keep your personal information on file, we will hold your information for an additional 12 months for consideration for future employment or engagement opportunities. At the end of that period your personal information is deleted.

In all cases, information may be held for a longer period of time where there is a legal or regulatory reason to do so.

If you are successful in your application, information collected as part of the recruitment process may be transferred to your personnel file and retained during your employment or engagement.

## **What If You Do Not Provide Personal Information**

You are under no statutory or other obligation to provide information to OpenText during the hiring process. However, if you do not provide the information, we may not be able to process your application properly or at all.

## **Automated Decision-Making**

Successful candidates are required to undergo a background check, if legally applicable in the country of residence. Once this check is completed, it is reviewed by our third party provider and can be marked as “meets company standards” automatically based on an agreed upon metrics. Any report that is not automatically moved to this status is then individually reviewed by an employee of OpenText .

## **Data Subject Rights**

Your local applicable law may provide certain rights regarding the use of your personal information. You may request from OpenText access to, correction of, restriction of and/or deletion of your personal information in line with applicable data protection legislation.

You can access the career site to update your information and/or delete your account.

Please direct any questions you may have with regard to this Privacy Notice, your rights or complaints about our privacy practices to the OpenText Data Protection Officer at below address(s). While we'll always do our best to help and handle your complaints, complaints may also be submitted to the applicable supervisory authority in the European Economic Area (or the UK), which includes the data protection

authority in your locality (for example, in the UK, the supervisory authority would be the Information Commissioner's Office).

## Privacy Shield Compliance

The OpenText entities based in the United States and identified in OpenText's online [Privacy Notice](#) comply with the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and the United Kingdom and/or Switzerland to the United States. OpenText has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit the U.S. Department of Commerce's [Privacy Shield site](#). Your personal data is also subject to the additional protections described under Additional Transfers and Data Subject Rights in OpenText's online [Privacy Notice](#).

OpenText commits to cooperate with the panel established by the EU data protection authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner, as applicable, and comply with the advice given by the panel and Commissioner, as applicable, with regard to human resources data transferred from the EU, the United Kingdom or Switzerland, as applicable, in the context of the employment/work relationship.

## Data Protection Officer

OpenText's Data Protection Officer can be reached at [DPO@opentext.com](mailto:DPO@opentext.com) or by regular mail at:

OpenText  
Data Protection Officer  
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OpenText may update this Privacy Notice from time to time. If we modify this Privacy Notice, we will post the revised version here. We may also provide notification of material changes by other means such as posting a notice on our website.

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