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# XTG, Inc.

## U.S. Job Applicant Privacy Notice

**Last Updated:** 5/17/2023

This Privacy Notice explains how XTG, Inc. and its subsidiaries (collectively, “**XTG**,” “**we**,” “**us**,” or “**our**”) collects, uses, discloses, and otherwise processes personal data about our U.S.-based recruits and job applicants.

This Privacy Notice is not a contract and does not create any legal rights or obligations not otherwise provided by law. This Privacy Notice also is not intended to replace other notices or disclosures we may provide to you in connection with your application for a job or eventual role in our organization, which will supersede any conflicting disclosures contained in this Privacy Notice.

### What is Personal Data?

When we use the term “personal data” in this Privacy Notice, we mean information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, to an individual within the context of the individual acting as a recruit or job applicant of ours. It does not include aggregated or deidentified information that is maintained in a form that cannot reasonably be used to infer information about, or otherwise be linked to, a particular individual. Where we maintain deidentified data, we will maintain and use the data in deidentified form and not attempt to reidentify the data except as required or permitted by law.

### Our Collection of Personal Data

During the recruiting process and when an individual applies for a job with us, we collect the following professional or employment-related personal data:

- **Contact Information:** such as full name, email address, home address and telephone number.
- **Identification Materials:** such as image, Social Security number or other national identification number, passport number, driver’s license number, or vehicle license plate number.
- **Professional History & Qualifications:** such as previous employers, positions and work experience, reasons for leaving previous employer, professional licenses, certificates or other qualifications, employment referrals, previous positions held within the TTI family of companies, and information relating to potential conflicts with the role the individual is applying or being considered for.
- **Educational History & Qualifications:** such as highest level of education, schools attended and dates of attendance, degrees, certificates, or other educational qualifications earned, and transcripts or educational references.

- **Compensation Information:** such as previous or desired salary, bonus, benefits, expenses, and stock or equity grants, as permitted by law.
- **Background Check and Reference Check Information:** when permitted by applicable law, we may choose to conduct a background check and/or a reference check in connection with an individual’s application such as to verify professional and educational history and qualifications or identify criminal history that may be relevant for a position with us. We also may ask whether you have a relative or spouse who currently or previously worked at TTI or within the TTI family of companies. The results of the background check and/or reference check may include personal data we do not already have about the individual who is the subject of the check.
- **Equal Opportunity Information:** such as age, race, ethnicity, national origin, citizenship, sex, gender identity or transgender status, sexual orientation, religion, disability, or accommodation request, or marital or veteran status when an individual chooses to provide them, but this equal opportunity information will not be used in the hiring decision unless specifically permitted by law.
- **Web-Related Information:** such as technical details about your visit to our online services contained in log files or analytics data relating to your usage and activity on our online services. For more information, please refer to the general [Privacy Notice](#) on our website. Our website’s Privacy Notice governs our use of information collected from our website visitors. If there is any conflict between our website Privacy Notice and this Privacy Notice, this Privacy Notice will govern with respect to our use of personal data in connection with recruiting and job applications.
- **Other Application and Interview Information:** any personal data you choose to share with us in your interview or application, CV, resume, transcripts, or other supporting documentation. We also may request you to complete an eSkills assessment and ask how you heard about the opportunity you are applying for.
- **Inferences:** We may generate inferences or predictions about recruits and job applicants, and their abilities, interests, or preferences based on the other personal data we collect and the interactions we have with them.

Although we often collect the personal data described above directly from our recruits and job applicants, we may also collect certain information from references, recruiters, job-related social media sites (such as LinkedIn), and publicly available sources (such as government records and social media sites). In addition, we may also collect this information through service providers and other third parties that collect it on our behalf, such as communications providers, scheduling providers, and application providers.

## **Our Use of Personal Data**

We use the personal data we collect during the recruiting process and when an individual applies for a job with us to:

- Identify the individual as a potential candidate and review their application for a position with us;

- Verify the information provided to us in connection with their application or received from other sources;
- Determine their eligibility and suitability for the potential position or other opportunities with us;
- Facilitate the recruiting and interview process;
- Communicate with the individual about the status of their application or other opportunities with us that may be of interest to them;
- Assess and improve the performance and success of our recruiting and hiring process;
- Conduct internal investigations, audits, compliance, risk management, problem resolution and security operations;
- Fulfill contractual obligations to recruits, applicants and other third parties;
- Protect the health and safety of our workforce and other visitors to our premises;
- Facilitate business transactions and reorganizations impacting the structure of our business;
- Comply with applicable law, rule, regulation, legal proceeding, and government investigations, including relating to tax reporting and immigration.

Please note that if an individual accepts an offer from us, we may transfer the personal data we collected about them during the recruiting and job application process to their personnel file with us.

## **Our Disclosure of Personal Data**

We may share the categories of personal data outlined above with the following third parties for the purposes described below:

- **Within XTG:** We share personal data relating to recruits and job applicants within our family of companies for internal administrative purposes and uses that are consistent with this Privacy Notice. For example, the entity responsible for the job posting may share personal data about an applicant with another one of our entities that is responsible for our organization-wide recruiting and employment decisions.
- **Recruiters and Job Application Providers:** We often engage recruiters and job application providers to assist us in identifying potential job applicants and processing job applications we receive. In order for these third parties to assist us in the recruiting and job application process, we share personal data about potential and current personnel with them.
- **Background Check and Reference Check Providers:** When permitted by applicable law, we may choose to conduct a background check and/or reference check in connection with an individual’s application, such as to verify professional and

educational history and qualifications or identify criminal history that may be relevant for a position with us. In order to facilitate the background check and/or reference check, we share personal data about the relevant individual with trusted background check and/or reference check providers.

- **Other Service Providers:** In addition to the third parties identified above, we engage other third parties to perform certain functions on our behalf in connection with the uses of personal data described in the [Our Use of Personal Data](#) section above, including assisting us with our recruiting process, personnel management, benefits and services offerings and other related business operations. Depending on the function the third party serves, the service provider may process personal data on our behalf or have access to personal data while performing functions on our behalf.
- **Business Transaction or Reorganization:** We may take part in or be involved with a corporate business transaction, such as a merger, acquisition, joint venture, or financing or sale of company assets. We may disclose personal data to a third-party during negotiation of, in connection with, or as an asset in such a corporate business transaction. Personal data may also be disclosed in the event of insolvency, bankruptcy, or receivership.
- **Legal Obligations and Rights:** We may disclose personal data to third parties, such as legal advisors and law enforcement:
  - in connection with the establishment, exercise, or defense of legal claims;
  - to comply with laws and regulations or to respond to lawful requests and legal process;
  - to protect our rights and property and the rights and property of our agents, customers, and others, including to enforce our agreements, policies, and terms of use;
  - to detect, suppress, or prevent fraud;
  - to reduce credit risk and collect debts owed to us;
  - to protect the health and safety of us, our customers, or any person; or
  - as otherwise required by applicable law.
- **Otherwise with Consent or Direction:** We may disclose personal data about our recruits and job applicants to certain other third parties with their consent or direction.

## California-Specific Disclosures

The following disclosures only apply to residents of the State of California.

### Personal Data Disclosures

#### *No Sales or Targeted Advertising*

Except as otherwise described in our website [Privacy Notice](#) in connection with job applicants acting in their capacity as website visitors, we do not sell personal data about individuals acting in their capacity as our recruits or job applicants, and we do not share or otherwise disclose such personal data for the purpose of displaying advertisements that are selected

based on personal data obtained or inferred over time from an individual’s activities across businesses or distinctly-branded websites, applications, or other services (otherwise known as “targeted advertising” or “cross-context behavioral advertising”).

### *Sensitive Information*

The following personal data elements we collect about our recruits and job applicants may be classified as “sensitive” under certain privacy laws (“sensitive information”):

- Social Security number, driver’s license number, and passport number.
- Information relating to racial and ethnic origin, religious beliefs, health, disabilities, sexual orientation, gender identity and transgender status.

We use this sensitive information for the purposes set forth in the [Our Collection of Personal Data](#) and [Our Use of Personal Data](#) sections above.

We do not sell sensitive information about individuals acting in their capacity as recruits or job applicants, and we do not share or otherwise disclose sensitive information about individuals acting in their capacity as recruits or job applicants for the purpose of targeted advertising, nor use such information for the purpose of inferring characteristics about our recruits or job applicants.

### *Retention of Personal Data*

We retain personal data only for as long as is reasonably necessary to fulfil the purpose for which it was collected. However, if necessary, we may retain personal data for longer periods of time, until set retention periods and deadlines expire, for instance where we are required to do so in accordance with legal, tax, and accounting requirements set by a legislature, regulator, or other government authority.

To determine the appropriate duration of the retention of personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of personal data, and if we can attain our objectives by other means, as well as our legal, regulatory, tax, accounting, and other applicable obligations.

Once retention of the personal data is no longer necessary for the purposes outlined above, we will either delete or deidentify the personal data or, if this is not possible (for example, because personal data has been stored in backup archives), then we will not further process the personal data until deletion or deidentification is possible.

## **Your Privacy Choices**

### *California Privacy Rights*

As a California resident, you may be able to exercise the following rights (subject to certain limitations at law):

<b><i>The Right to Know</i></b>	The right to confirm whether we are processing personal data about you and to obtain certain personalized details about the personal data we have collected about you, including: <ul style="list-style-type: none"><li>- The categories of personal data collected;</li><li>- The categories of sources of the personal data;</li><li>- The purposes for which the personal data were collected;</li></ul>
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	<ul style="list-style-type: none"> <li>- The categories of personal data disclosed to third parties (if any), and the categories of recipients to whom the personal data were disclosed.</li> <li>- The categories of personal data shared for cross-context behavioral advertising purposes (if any), and the categories of recipients to whom the personal data were disclosed for those purposes; and</li> <li>- The categories of personal data sold (if any), and the categories of third parties to whom the personal data were sold.</li> </ul>
<b><i>The Right to Access &amp; Portability</i></b>	The right to obtain access to the personal data we have collected about you and, where required by law, the right to obtain a copy of the personal data in a portable and, to the extent technically feasible, readily usable format that allows you to transmit the data to another entity without hindrance.
<b><i>The Right to Correction</i></b>	The right to correct inaccuracies in your personal data, considering the nature of the personal data and the purposes of the processing of the personal data.
<b><i>The Right to Deletion</i></b>	The right to have us delete the personal data we have collected from you.

You also have the right to not receive retaliatory or discriminatory treatment in connection with a request to exercise the above rights. However, please note that if the exercise of these rights limits our ability to process personal data, we may no longer be able to engage with you in the same manner.

### ***Submitting Privacy Rights Requests***

To submit a request to exercise one of the privacy rights identified above, please:

- Email us directly at [humanresources@xtgcorp.com](mailto:humanresources@xtgcorp.com)

Before processing your request, we will need to verify your identity and confirm you are a resident of the State of California. In order to verify your identity, we will generally either require the successful authentication of your work-related account, or the matching of sufficient information you provide us to the information we maintain about you in our systems. As a result, we require requests to include applicant name, email, state, zip code, date applied, and job position applied for. We may at times need to request additional personal data from you, taking into consideration our relationship with you and the sensitivity of your request.

In certain circumstances, we may decline a privacy rights request, particularly where you are not a resident of the State of California or where we are unable to verify your identity.

### ***Authorized Agents***

In certain circumstances, you are permitted to use an authorized agent to submit requests on your behalf through the designated methods set forth above where we can verify the authorized agent's authority to act on your behalf. In order to verify the authorized agent's authority, we generally require evidence of either (i) a valid power of attorney or (ii) a signed

letter containing your name and contact information, the name and contact information of the authorized agent, and a statement of authorization for the request. Depending on the evidence provided, we may still need to separately reach out to you to confirm the authorized agent has permission to act on your behalf and to verify your identity in connection with the request.

## **Updates to This Privacy Notice**

We will update this Privacy Notice from time to time. When we make changes to this Privacy Notice, we will change the "Last Updated" date at the beginning of this Privacy Notice. If we make material changes to this Privacy Notice, we will notify you by email, by prominent posting on our intranet, or through other appropriate communication channels. All changes shall be effective from the date of publication unless otherwise provided in the notification.

## **Contact Us**

If you have any questions or requests in connection with this Privacy Notice or other privacy-related matters, please email us at [humanresources@xtgcorp.com](mailto:humanresources@xtgcorp.com)