

Align Technology
European Union Candidate Privacy Notice
Last Updated March 20, 2019

1. Introduction

Align Technology B.V ("Align", "we or us") has issued this Privacy Notice (this "Notice") on behalf of each of the Align Group companies operating in to the EU. We respect the privacy rights of individuals and are committed to handling personal information responsibly and in accordance with applicable law. It is important that you read all of this Notice carefully as it sets out how Align handles your personal information when you apply for a job or other role with us and the rights you have in connection with that information. The term "**applicants**" is used in this Notice to refer to anyone who applies for a job role, or who otherwise seeks to carry out work with or for us (whether on a permanent or non-permanent basis).

Where we refer to Align below, the reference is to the Align Group entity to which you have made an application (which will be the primary controller in relation to your personal information), as identified per country in the table below:

| | |
|-----------------|--------------------------------|
| Austria | Align Technology GmbH |
| Baltics | Align Technology B.V. |
| Belgium | Align Technology B.V. |
| Croatia | Align Technology B.V. |
| Czech Republic | Align Technology B.V. |
| Denmark | Align Technology GmbH |
| Finland | Align Technology B.V. |
| France | Align Technology, SAS |
| Germany | Align Technology GmbH |
| Greece | Align Technology B.V. |
| Hungary | Align Technology B.V. |
| Ireland | Align Technology UK Limited |
| Italy | Align Technology Italia S.r.l. |
| Poland | Align Technology Poland |
| Portugal | Align Technology B.V. |
| Slovakia | Align Technology GmbH |
| Spain | Align Technology, S.A. |
| Sweden | Align Technology GmbH |
| The Netherlands | Align Technology B.V. |
| United Kingdom | Align Technology UK Limited |

If you are in any doubt, or have any comments or questions about this Notice, please contact us using the contact details set out at Section 8 below.

2. Types of personal information we collect when you apply

Information that we collect automatically

You can visit the recruitment section of our recruitment partner's website <http://jobs.jobvite.com/align-tech/> ("**Website**") and search for jobs without providing personal information. However, we do collect certain information automatically from your device when you visit our Website. For further information, please see the privacy notice that applies to the use of our Website http://www.aligntech.com/privacy_policy.

Personal Information collected from you

The types of personal information we collect and process when you apply for a role with Align includes (but is not limited to):

- **Identification data and contact details** – including your name, address, email address, phone number and other contact information, gender, date of birth, nationality/ies, national identifiers (such as national ID/passport, photos, social security number(s), or other tax ID numbers).
- **Employment history** – such as previous employers and job titles/positions.
- **Background information** – such as academic/professional qualifications, job qualifications, education, details included in your CV/résumé (which might include details of any memberships or interests constituting sensitive personal information), transcripts and employment references.
- **Criminal background checks** – where permitted by local employment and/or data privacy legislation, Align may perform criminal background checked on candidates applying for positions where an individual's criminal history and trustworthiness may be relevant. Where local employment and/or data privacy legislation prohibits Align from performing such checks, Align may request that you provide Align with a copy of such a criminal history and/or background check as part of your application process.
- Details of your **nominated referees** (including their name, contact details, employer and job role).
- Details of your **immigration/visa status**.
- **Previous applications/roles** (information relating to previous applications you have made to Align's Group and/or any previous employment history with Align's Group).
- **Job application information** (such as the roles for which you are applying, your job application and related documentation/communications, cover letters, information from interviews and phone screenings, compensation/benefits requests and relocation information).
- **Other information you voluntarily provide** throughout the process, including through assessment centres / exercises and interviews.

As a general rule, during the recruitment process, we try not to collect or process any of the following: information that reveals your racial or ethnic origin, religious, political or philosophical beliefs or trade union membership; genetic data; biometric data for the purposes of unique identification; or information concerning your health/sex life ("**Sensitive Personal Information**"), unless authorised by law or where necessary to comply with applicable laws.

However, in some circumstances, we may need to collect, or request on a voluntary disclosure basis, some Sensitive Personal Information for legitimate recruitment-related purposes: for example, information about your racial/ethnic origin, gender and disabilities for the purposes of equal opportunities monitoring, to comply with anti-discrimination laws and for government reporting obligations (we will not identify any person in such reports); or information about your physical or mental condition to consider accommodations for the recruitment process and/or subsequent job role. You may provide, on a voluntary basis, other Sensitive Personal Information during the recruitment process.

Personal information collected from other sources

We may, but do not always, collect some personal information (or in some circumstances Sensitive Personal Information) from other sources. For example:

- References provided by referees.
- Other background information provided or confirmed by academic institutions and training or certification providers.
- Information collected through our recruitment platform which is administered and maintained by Jobvite.
- Information collected from publically available sources, including any social media platforms you use or other information available online.
- Criminal background check history from third-party sources.

(in each case, where permissible and in accordance with applicable law).

3. Purposes for processing personal information

We collect and use this personal information primarily for recruitment purposes – in particular, to determine your qualifications for employment and to reach a hiring decision. This includes assessing your skills, qualifications and background for a particular role, verifying your information, carrying out reference checks or background checks (where applicable) and to generally manage the hiring process and communicate with you about it.

If you are accepted for a role at Align, the information collected during the recruitment process will form part of your ongoing staff member record and will be processed in accordance with our Employee Privacy Notice.

4. Who we share your personal information with and transfers abroad

Align operates globally and may therefore transfer your Personal Information to other countries in which Align operates, including countries other than your country of residence. Your Personal Information may also be stored on our servers, which may be located outside your country of residence. However, we will continue to protect your information in accordance with this Privacy Statement and our [Binding Corporate Rules](#). By providing us your Personal Information, you agree to such transfers, processing and/or storage anywhere in the world, including the United States.

We take care to allow access to personal information only to those who require such access to perform their tasks and duties, and to third parties who have a legitimate purpose for accessing it. Whenever we permit a third party to access personal information, we will implement appropriate measures to ensure the information is used in a manner consistent with this Notice and that the security and confidentiality of the information is maintained.

Transfers to third party service providers

We may make certain personal information available to third parties who provide services relating to the recruitment process to us, including:

- data storage, shared services and recruitment platform providers, IT developers and support providers and providers of hosting services in relation to our careers website, e.g. Workday, Jobvite and Amazon Web Services;
- third parties who provide support and advice including in relation to legal, financial / audit, management consultancy, insurance and health and safety issues, e.g. Tentoo

We may also disclose personal information to third parties on other lawful grounds, including:

- Where you have provided your consent;
- To comply with our legal obligations, including where necessary to abide by law, regulation or contract, or to respond to a court order, administrative or judicial process, including, but not limited to, a subpoena, government audit or search warrant;
- In response to lawful requests by public authorities (including for tax, immigration, health and safety, national security or law enforcement purposes);
- As necessary to establish, exercise or defend against potential, threatened or actual legal claims;
- Where necessary to protect your vital interests or those of another person; and/or
- In connection with the sale, assignment or other transfer of all or part of our business.

In some cases, the sharing described above may result in your personal information being **transferred internationally, including from the European Economic Area to a country outside it**. These countries may have data protection laws that are different to the laws of your country (and, in some cases, may not be as protective).

Specifically, our third party service providers operate around the world. This means that when we collect your personal information we may process it in any of these countries.

However, where it is necessary to transfer your information outside of the EEA to third party service providers and partners, we ensure that your information is protected by having in place appropriate safeguards, for example by:

- implementing the standard contractual clauses approved by the European Commission (under Article 46.2 of the General Data Protection Regulation); relying on the fact that a US-based recipient of the personal information has self-certified to the EU-US Privacy Shield (under Article 45 of the General Data Protection Regulation); and/or our [Binding Corporate Rules](#).

The measures we rely on to provide an adequate level of data protection are available by request by using the contact details in Section 8 below.

5. Legal basis for processing personal information

Under European data protection law, our legal bases for processing your personal information as part of the recruitment process include:

- our legitimate interests (as summarised above in Section 3) (which are not overridden by your data protection interests or fundamental rights and freedoms, particularly taking into consideration the safeguards that we put in place, for example, those outlined in Section 4 above);
- to comply with applicable immigration and/or employment laws and regulations;
- to take steps prior to entering an employment contract with you, where you are considered for employment;
- in circumstances where you have made the data public;
- where we have your consent to do so. Where we have requested your consent to process your personal data, you have the right to withdraw your consent at any time;
- to protect the rights and interests of Align's Group, our employees, applicants and others, as required and permitted by applicable law.

If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible consequences if you do not provide your personal information). Align will ask for your consent if it intends to perform or request criminal background checks on you.

If you have questions about or need further information concerning the legal basis on which we collect and use your personal information, please contact us using the contact details provided in Section 8 below.

6. Retaining and deleting your personal information

Personal information will be stored in accordance with applicable laws and kept as long as needed to carry out the purposes described in this Notice or as otherwise required by applicable law. Generally, this means your personal information will be retained:

- in accordance with the retention periods set out in the Company's Staff Privacy Notice (where you become our employee);
- for a period of **[6-12]** months after confirmation that your application was unsuccessful (to allow us to consider you for other suitable openings within Align in the future) unless you request that we delete your application by contacting us using the contact details set out at Section 8 below;

- criminal background check results for unsuccessful candidates will be deleted at the end of the recruitment process.

7. Your data privacy rights

You may exercise the rights available to you under applicable data protection laws as follows:

- If you wish to **access, correct, update or request deletion** of your personal information, you can do so at any time by contacting us using the contact details provided below.
- You can **object to processing** of your personal information, ask us to **restrict processing** of your personal information or **request portability** of your personal information. Again, you can exercise these rights by contacting us using the contact details provided below.
- If we have collected and processed your personal information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- You have the **right to complain to a data protection authority** about our collection and use of your personal information. For more information, please contact your local data protection authority. (Contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries are available [here](#).)

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

8. Contact details

If you have any questions about this Notice, your personal information, or your rights please contact:

Henry Schober III
Global Privacy Director & Data Protection Officer
Privacy@aligntech.com

OR

Align Technology B.V
Attention: Privacy Office
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The Netherlands