

# Privacy Notice for Recruitment and Selection

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## 1. Introduction

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This Privacy Notice (“Notice”) was developed by us, VTEX, to demonstrate to you, candidates and possible new employees, our commitment to always ensure that your personal data is processed with security, transparency and respect for your privacy, in the scope of online and offline recruitment activities.

# Privacy Notice for Recruitment and Selection

In this Notice you will find information on what data we process, for what purposes, what are your rights as a holder of personal data and how to exercise them with us.

## 2. What important information Do You Need to Know

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**Personal data** is all information that directly identifies you or has the potential to make you identifiable. For example, your name, applicable identification number, e-mail, address, records of access to internet applications, connection records, cookies, among others.

**Sensitive personal data** are Personal data revealing racial or ethnic origin, religious conviction, political opinion, trade union membership or religious, philosophical or political beliefs, data relating to health or sex life or sexual orientation, genetic or biometric data, when linked to a natural person. The processing of Sensitive Personal data is subject to specific requirements, including security measures.

**Processing of personal data** means any operation or set of operations, such as the collection, use, access, reproduction, sharing or otherwise making available, storage, erasure or disposal, performed on Personal data. In this Notice, the term “Process” must be construed accordingly.

VTEX, VTEX Ecommerce Platform Limited, a company incorporated in England (number 10867517), having its registered office at WeWork Aviation House, 125 Kingsway WC2B 6NH, 6NH, registered under Tax ID (VAT) GB278404189, (hereafter “VTEX”, “we” or “our”) or any local entity of the VTEX Group with which you are interacting, is acting as the data controller of your Personal data in the context of this Notice. Likewise, whenever there is mention of the terms “you”, “your” or “yours”, we are referring to you, as a natural person who is a candidate in the context of this Notice.

## 3. What Personal Data Do We Process?

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When VTEX has an open position, it makes available the description thereof and the necessary requirements for its occupation on its corporate website(s), on its social media accounts, , and/or on other offline or online recruitment and selection channels, such as headhunters and recruitment agencies, LinkedIn, Vaga.com, and others, including through the VTEX vacancy portal, a Platform developed with the company Lever.co (the “**Vacancy Portal**”).

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VTEX Processes Personal data that: i) is provided directly by you; and ii) comes from third-party sources or websites, for example when there is a referral from a current VTEX employee or headhunter, by means of people that the candidate indicates as a reference and in the context of background checks to the extent permitted by applicable laws;

VTEX will collect and Process the following categories of Personal data from you and/or from the aforementioned third-parties sources, for recruitment activities:

- Full name, professional background, academic qualifications and any other information you provide on your resume (“CV”) and eventual cover letter;
- Information you provide on our application form, if relevant, including your current or last employer’s business name, telephone number, personal email address, LinkedIn link and remote GitHub URL, as well as any additional information;
- Any information you provide to us during an interview; and
- Test results used as part of our selection process.

VTEX may use a national identification document to carry out integrity checks from public sources. Such checks can only occur within the limits of the applicable legislation.

Other Personal data of yours is collected automatically from your use of our websites or Vacancy Portal, without you providing it directly to VTEX:

- **Access data:** This data includes, for example, the name of your internet service provider, your IP address, information about the browser and operating system you use, the average duration of your visit and the pages accessed on our website.

Sensitive Personal data, if required by applicable laws in the jurisdiction where you apply, will be Processed with great care and in accordance with local applicable laws. Such data will only be used if the application is related to vacancies and only to the extent necessary and required to comply with applicable laws (e.g. disability).

To the extent, the collection and processing of sensitive data is allowed, under applicable local law, when your sensitive personal data is requested, VTEX will collect only the information needed under the applicable laws (e.g. in certain countries, companies are required to encourage the recruitment of disabled people. In such case, the disability rate will be indicated but not the nature of the disability to preserve the candidate’s privacy) .

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You are responsible for the Personal data you provide or make available directly to VTEX (i.e., excluding Access Data) and must ensure that they are relevant, true, accurate, up to date and that they are not misleading. You must ensure that the information provided does not contain obscene, defamatory material or that it infringes any third party right, that it does not contain harmful code and that it does not violate any law. In addition, if you provide information regarding any other person, such as individuals you indicate as a reference, you are responsible for all notices and for obtaining the necessary authorizations for VTEX to collect and use such data, as described in this Notice.

## 4. How and Why is Your Personal Data Used by VTEX?

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VTEX uses your Personal data for the following purposes:

- a) To communicate with you and respond to your requests or applications;
- b) For recruitment, evaluation and hiring purposes;
- c) To allow the candidate to use the VTEX Vacancy Portal;
- d) To analyze, develop and improve the VTEX Vacancy Portal, our recruitment activities and enhance our Company's products and services relating to the Vacancy Portal or our recruitment activities;
- e) To maintain the security of the VTEX Vacancy Portal and our websites, systems and networks; and
- f) To comply with our legal or regulatory obligations and manage our business activities.

These purposes are described in more detail below.

Any Processing of your Personal data rely on a legal basis, defined by applicable data protection laws (including the GDPR, as applicable). We describe such legal bases below.

### **a) To communicate with the candidate and respond to their requests or applications**

If you contact us (for example, through the VTEX Vacancy Portal, through contact forms on our websites, contact with VTEX recruiters or at events or using social media platforms), we process your Personal Data for communications regarding your application or professional interests. For example, we can update you on the status of your application, inform you of the

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opening of new vacancies or invite you to participate in recruitment activities, such as a telephone evaluation, online tests or an interview via an online platform or in person.

The legal basis for such purpose are (i) the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a such a contract (i.e., potential employment agreement), or (ii) VTEX legitimate interests, to respond to your requests.

## **b) For recruitment, evaluation and hiring purposes**

VTEX processes information about you with the aim of associating you more adequately with a position or vacancy and assessing whether you are the most suitable for a given position. Therefore, we can include information about you in our recruitment database to manage the selection and recruitment processes for VTEX candidates. If you are selected for a position with VTEX, your information will also be used to streamline the hiring process. Please note that before hiring you and in order for VTEX to present you with a job offer, you will be subject to a background check to the extent permissible under applicable laws. For more information on background checks and the processing of your Personal data in the context of background checks, you can contact our Supervisor / Data Protection Officer (“DPO”) by email: [dpo@vtex.com.br](mailto:dpo@vtex.com.br) or through the direct channel <https://vtex.com/us-en/data-request/>.

The legal basis for such purpose are (i) the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a such a contract (i.e., potential employment agreement), or (ii) VTEX legitimate interests, to evaluate and hire profiles that match with open vacancies and business needs.

## **c) To allow the candidate to use the VTEX Vacancy Portal**

When you sign up for one of the available vacancies at VTEX through our exclusive Vacancy Portal, we process the necessary Personal data in order to create and manage your registration, as well as internal procedures necessary to suit the vacancy.

The legal basis for such purpose are (i) the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a such a contract (i.e., potential employment agreement), or (ii) VTEX legitimate interests, to make available tools enabling VTEX to evaluate and hire profiles that match with open vacancies .

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**d) To analyze, develop and improve the VTEX Vacancy Portal, our recruitment activities and enhance our Company's products and services relating to the Vacancy Portal or our recruitment activities**

In order to analyze, develop and improve the VTEX Vacancy Portal our recruitment activities and recruit the best skills to enhance our Company's products and services, the Company can process your Personal data if they have, for example, problems using the Vacancy Portal or if this service is not working as expected. VTEX may also process your Personal data to develop and test new products or versions, patches and system updates relating to the Vacancy Portal or our recruitment activities.

The legal basis for such purpose are (i) the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a such a contract (i.e., potential employment agreement), or (ii) VTEX legitimate interests to enhance our tools enabling VTEX to evaluate and hire profiles that match with open vacancies and business needs.

**e) To maintain the security of the VTEX Vacancy Portal**

We will Process your Personal data as necessary to maintain the security of the VTEX Vacancy Portal as well as that of our websites, systems and networks. For example, we will Process your Personal data in the context of investigating suspicious activity on our websites, systems and networks.

The legal basis for such purpose are (i) the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a such a contract (i.e., potential employment agreement), or (ii) VTEX legitimate interests, to ensure the security and safety of the data collected on VTEX Portal.

**f) To meet legal or regulatory obligations and manage our business activities**

Your Personal data may be used to fulfill our legal obligations, including regulations of government agencies, tax authorities, the Judiciary and/ or any other competent authority.

Your Personal data may be used to safeguard our rights and actions in judicial, administrative and arbitration proceedings, should this be necessary.

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In addition, we will Process your Personal data in the context of carrying out and organizing our corporate and internal management, for example, for carrying out audits and investigations, for the purposes of mergers and acquisitions, finance and accounting, filing and insurance and within the scope of resolution litigation.

The legal basis for such purpose are (i) the performance of a contract to which you are a party or in order to take steps at your request prior to entering into such a contract (i.e., potential employment agreement), or (ii) VTEX legitimate interests, to comply with our legal obligations.

## 5. Who is Your Personal Data Shared With?

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As a global organization, recruitment information can be shared globally among VTEX organizations that may be interested in the candidate's profile, in accordance with this Notice. In addition, your Personal data may be shared with the following recipients for the purposes set-out in this Notice:

- VTEX employees who are authorized to process Personal data to the extent necessary for applicable purposes and for the performance of their respective roles (i.e., human resources, managers of the vacancy, finance, legal).
- Our service providers and partners (including without limitation, IT service providers, recruitment agencies, professional networks).
- Our partner Lever.co that has developed and operates the VTEX Vacancy Portal. Thus, when you apply for one of the vacancies available in the VTEX Vacancy Portal, your Personal data will be shared with Lever.co, to the extent necessary to ensure the proper functioning, security and operation of the Vacancy Portal.
- In addition, your Personal data may be shared by VTEX (which may be assisted for such purpose by Lever.co) with other platforms in order to carry out all or part of the candidate selection process, such as logic testing software, among others.

To protect your privacy, we use contractual instruments and audits to ensure that third parties who receive your Personal data afford them the same protection as we do.

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## 6. Automated Decisions

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VTEX may use automated decision-making processes, including the definition of candidate profiles, whenever necessary to ensure the selection of candidates likely to match the requirements of a vacancy available with VTEX.

However, we never take a hiring decision on the sole basis of such automated selection. A recruitment committee will examine the selected profiles matching the requirements of vacancy to take such decision.

You may request the review of the automated selection by a natural person.

In addition, you have the right to object, on grounds relating to your particular situation, at any time to the processing of your Personal data in such automated selection process.

## 7. Cookies

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We use cookies and other trackers on our websites.

For more information regarding our use of cookies on VTEX websites and your rights in that respect, please read our cookies notice.

## 8. What are Your Rights?

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You have the following rights regarding your Personal data:

1. **Access:** you have the right to know if we carry out any Processing with your Personal data and what Personal data we Process and access such data;
2. **Rectification:** you have the right to ask that we correct incomplete, inaccurate or outdated Personal data;



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3. **Erasure:** you have the right to ask that we delete your Personal data that is unnecessary in relation to the purposes for which it has been collected, that has been unlawfully Processed or that VTEX must delete to comply with the legal obligations to which we are subject;
4. **Portability:** where the Processing of your Personal data is based on your consent or on a contract to which we are a party with you, and such Processing has been carried out using automated means, you have the right to receive the Personal data concerning you that you have provided to VTEX, in a structured, commonly used and machine-readable format and have the right to transmit or request that we transmit such Personal data to another company;
5. **Limitation:** you have the right to obtain from VTEX the restriction of the Processing of your Personal data where one of the following applies:
  - a. You contest the accuracy of your Personal data, for a period enabling VTEX to verify the accuracy of the Personal data;
  - b. the Processing of your Personal data is unlawful, you oppose the erasure of the Personal data and you request the restriction of their use by VTEX instead;
  - c. VTEX no longer needs your Personal data for the purposes of the Processing in accordance with this Notice, but you require them for the establishment, exercise or defence of legal claims; or
  - d. you have objected to Processing, pending the verification whether the legitimate grounds of VTEX override yours.
6. **Objection:** you have the right to object, on grounds relating to your particular situation and at any time, to the Processing of your Personal data which is based on the legitimate interests pursued by VTEX or by a third party, including profiling. VTEX shall no longer Process the Personal data unless we demonstrate compelling legitimate grounds for the Processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.
7. **Consent withdrawal:** When the Processing activity requires your consent, you can withdraw it at any time, without affecting the lawfulness of the Processing prior to such withdrawal.

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To exercise your rights, you can contact our Supervisor / Data Protection Officer (“DPO”) through the email [dpo@vtex.com.br](mailto:dpo@vtex.com.br) or through the direct channel <https://vtex.com/us-en/data-request/>.

You also have the right to lodge a complaint with a supervisory authority, including that of your country of residence, place of work or place of alleged infringement of applicable data protection laws. If you are located in the European Union, the list of supervisory authorities is available here: [https://edpb.europa.eu/about-edpb/about-edpb/members\\_en](https://edpb.europa.eu/about-edpb/about-edpb/members_en)

## 9. Transfers of Personal Data

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Your personal data may be transferred outside your country of residence, including outside the European Union (EU) or the European Economic Area (EEA), to countries that do not provide a similar level of data protection as the EEA, for instance Brazil and the USA.

We implement appropriate data transfer mechanisms as required by applicable personal data regulations, including the European Commission's standard contractual clauses and additional safeguards as necessary to ensure the lawfulness of such transfers. These mechanisms and safeguards can be made available by contacting VTEX using the contact details available below.

## 10. How Long Do We Store Your Personal Data?

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We retain your Personal data for as long as necessary to fulfill the purpose for which it was collected, unless a longer retention period is necessary to fulfill our legal obligations, safeguard our rights or comply with judicial or extrajudicial agreements.

As a general rule, we store Personal data of candidates who have not been selected for a position with VTEX for no longer than 2 years after the last contact at the candidate's initiative. We may however apply longer retention terms in certain circumstances where we have a legal, contractual or other obligation to retain Personal data or in order to establish, defend or exercise legal claims.

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We may also determine other retention periods for your Personal data, we also rely on the following criteria:

- Whether we have a legal, contractual or other obligation to retain Personal data, or whether it is necessary for the purpose of investigation or litigation; and
- Whether Personal data is necessary to maintain accurate records about the recruitment and selection process, as well as the candidate's hiring process.

## 11. How Do We Keep Your Data Secure?

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We have adopted strict policies and procedures that determine how personal data should be treated here at VTEX. These rules are intended to ensure the proper and lawful Processing of personal data.

We have also adopted technical measures to keep your personal data safe and protected from unauthorized access and from accidental or unlawful situations of destruction, loss, alteration, communication or any other form of improper or unlawful Processing, always in the light of the applicable rules.

Our security measures are continuously monitored and reviewed according to technological advances and organizational resources.

## 12. Questions

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If you have any questions, you can contact our Supervisor / Data Protection Officer (“DPO”) by email at [dpo@vtex.com.br](mailto:dpo@vtex.com.br) or through the direct channel <https://vtex.com/us-en/data-request/>.

You may also write to VTEX Ecommerce Platform Limited, a company incorporated in England (number 10867517), having its registered office at WeWork Aviation House, 125 Kingsway WC2B 6NH, 6NH, registered under Tax ID (VAT) GB278404189.

## 13. Updates of this notice

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# Privacy Notice for Recruitment and Selection

Some of the information provided in this Notice may be updated or changed, in order to comply with evolving legislations or to adapt to technical or organizational changes. Therefore, we advise you to check this Notice periodically.

## 14. Historic

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Version	Updated Content
1.0	Privacy Notice for Recruitment and Selection

Made by:

Version	Name	Date
1.0	Legal Team	20/05/2021

Review by:

Version	Name	Role	Date
1.0	Thiago Athayde	Head of Risk and Compliance	20/05/2021
1.0	Luiza Amorim	DPO	20/05/2021

Approved by:

Version	Name	Role	Date
1.0	André Spolidoro	CFO	20/05/2021