

SKILLFUL.LY PRIVACY POLICY

Last revised: September 3, 2020

1. General

This privacy policy (“Privacy Policy”) describes the types of information that are identifiable to a particular person (“Personal Information”) that Skillful.ly (“Skillful.ly,” “we,” “us” and “our”) collects from you or about you when you use or access our website www.skillful.ly (“Site”), our practices for using, sharing, and protecting that information. This Privacy Policy is considered part of the Terms and Conditions of Use at <https://www.skillful.ly/terms.html>. We urge you to read this Privacy Policy to ensure you are fully informed.

Skillful.ly reserves the right, at its sole discretion, to change this Privacy Policy at any time. If we decide to change the Privacy Policy, we will post the changes in appropriate places on the Site so that you are aware of the changed Privacy Policy. We encourage you to check the Site often for updates and revisions and update your email address if it changes. We will notify you by email of any material revisions to the Privacy Policy if you provide us with an accurate and current email address. Your continued use of the Site following the posting of any changes will mean you accept and agree to the changed Privacy Policy.

This Privacy Policy does not apply to information that you may submit to third-party websites and mobile applications that may link to the Site or be linked to on the Site. We do not control third-party websites and applications and are not responsible for their actions or privacy practices.

Your use of this Site will be deemed conclusively to constitute your acceptance of and agreement to this Privacy Policy and all portions hereof.

Children under the Age of 18

You must be 18 years or older to use the Site. Our Site is not directed to children under the age of 18. We do not knowingly collect, maintain, or use personal information from children under 18. If you learn that your child has provided us with Personal Information without your consent, please email us at privacy@skillful.ly.

What Personal Information Does Skillful.ly Collect?

Skillful.ly collects, processes, and retains several types of Personal Information from you and any devices you may use when you voluntarily use some of our services and access certain areas of the Site:

Information Provided By You:

With respect to Candidates, we collect the following categories of information from you:

- **Account Creation:** Identifiers that can be traced back to you, such as name, postal address, email address, phone number, any other identifier by which you may be contacted online or offline, and any username and password created by you. You can also choose to provide us with your profile picture using your device’s camera, gender, race, ethnicity, date of birth, disability status, veteran status, educational goals, education level, career aspirations, and your interest in and use of various products, programs, and services. You have the choice to respond to these optional questions. Skillful.ly gathers most of this Personal Information from you during an initial voluntary user registration process to help us serve you better.

- **Contact Us:** When you contact us through our online form, we will ask you to provide us with Personal Information such as your email address and the purpose for the request. We request this information so that we can accurately respond to your inquiries and address any support needs.
- **Surveys and Updates:** Skillful.ly may also occasionally ask you for Personal Information at other times, including when you voluntarily provide your name and email address to participate in one of our optional survey forms or fill out optional contact forms for marketing updates on particular products and services. If you sign up to receive our updates, we may collect information on your contact preferences and whether you clicked on a link in a particular communication. Our communications contain instructions on how to opt-out of receiving future updates.
- **Assessments:** Skillful.ly accountholders can choose to complete various cognitive and behavioral assessments (“Assessments”). If you complete an Assessment, we collect additional Personal Information such as your Assessment responses, session data, and any other information you may choose to provide or associate with your Skillful.ly profile page. We may ask questions to which the response is optional (such as demographic questions), and these questions are identified as such. At times, these optional demographic questions may involve collection of special categories of Personal Information, such as information regarding your racial or ethnic origin, gender, or disability status. You have the choice to respond to these optional questions. For all essential questions and any optional question(s) you complete, we exclusively process your Personal Information pursuant to your explicit, informed consent. We will not share Assessment results without your consent.
- **Team Exercises:** We use Slack, a third-party platform, for team exercises where you can collaborate with other Skillful.ly accountholders. These features are optional. If you choose to participate in one of our team exercises, you will be required to provide us with responses to posed questions, and your feedback on other teammates. We may also use session data to monitor the engagement of participants who choose to participate in one of our team exercises.
- **Other User Content:** Any Personal Information you choose to provide on chat rooms, public posting forums, one-to-one communication forums or other similar features, direct communications with others, including but not limited to users, instructors, and employers, or when you enroll in a program hosted by Skillful.ly or a vendor, interact with our social media accounts, or otherwise communicate with Skillful.ly, may be read, collected, and used by others who access those Sites. We discourage you from publicly posting your full name, telephone numbers, street addresses or other information that identifies you or allows strangers to find you or steal your identity.

With respect to job applicants, we collect the following categories of information from you:

- Identifiers, such as your name and contact information (email, postal address, and phone number), and any username and password created by you.
- Professional and employment-related information, such as your work eligibility status, employment experience, educational history, resumes, reference information, and information about how you learned about the position. For job applicants, we also collect resumes and reference information.
- We use this information only to consider you as a candidate for the position for which you are applying and to contact you for legitimate purposes relating to that application.

Information Collected Automatically

When you visit the Site, Skillful.ly automatically collects with Cookies, and similar technology, Personal Information about your use of the Site, including your internet protocol address (“IP Address”), browser

type, the referring domain, usage of carriers and internet service provider (ISP), operating system version, device IDs (including MAC IDs), websites and URLs visited, date/time stamp, clickstream data, and browser plug-ins. If you use your mobile device to connect to the Site, we also collect your location information, language settings, and screen resolution. You can review the “Cookies and Other Similar Technologies” section to learn more.

Information from Other Sources

We may collect other Personal Information about you from third parties, including other customers, users, websites which publish our ads and offers, and service providers, and we may combine such information with other information you have provided to us. We may supplement this information with information from other sources, including offline data, your browsing behavior on other websites and interactions with our advertising.

How We Use Your Information

We use your information to help us personalize and regularly improve your experience on the Site. The collection of Personal Information greatly assists Skillful.ly in this improvement process by identifying the interests and needs of the many users to this Site. Accordingly, Skillful.ly may use Personal Information to: (i) send users e-mail notifications of new features or information available through the Site or that Skillful.ly otherwise feels might be of interest to users of this Site; (ii) allow Skillful.ly and its third party advertisers and retailers, and their affiliates, offering goods or services that Skillful.ly thinks might be of interest to users, to deliver relevant information and marketing communications to users in any form; (iii) communicate with users about their candidacy and opportunities with our employer partners; (iv) respond to users’ inquiries and requests, update users about their Site account, and fulfill any other purpose for which the user provides; and (v) administer and enhance the quality of the Site and the content provided on the Site.

We use your Assessment responses to score the Assessments and to generate reports and other data related to participants of those Assessments. We may also use your Assessment and team exercise responses, and any feedback provided by other participants in team exercises about you, to reflect such participant’s preferences, characteristics, behavior, attitude, abilities, and aptitudes. We sometimes combine data from multiple participants (for example, in team reports). We may also combine a participant’s data with our general research data or compare or associate participant data with other participant data to analyze general trends and aptitudes and to gather demographic information about our participant base as a whole.

We may use aggregated Assessment responses, demographic data, and other data to improve our products and services. We may use information gathered from mobile devices for research and development purposes.

We may use or combine information we collect offline or we collect or receive from third-party sources for many reasons, including to enhance, expand, and check the accuracy of our records. Information from a browser or device may be used with another computer or device that is linked to the browser or device on which such information was shared to optimize your experience with the Site.

How We Disclose Your Information

Skillful.ly may disclose your Personal Information: (i) with third parties who have agreements with us, including marketers, advertisers and prospective employers; (ii) if Skillful.ly is required by law to do so, including laws outside your country of residence; (iii) in the event of a transfer of ownership of

Skillful.ly, merger or other similar transaction (including one in connection with any bankruptcy or similar proceedings); or (iv) as otherwise set forth in this Privacy Policy.

Skillful.ly is not and cannot be responsible for the activities or privacy policies of any third party with whom your Personal Information is shared.

- Our Employer Partners may request your Personal Information for purposes evaluating your skills and experience in connection with potential job opportunities. We share your Personal Information to our Employer Partners only when you have explicitly authorized us to share this information when registering for a Skillful.ly account, and whose communications you have elected to receive via electronic delivery, telemarketing, and direct email.
- We may share Personal Information of our Recruiter Partners or prospective recruiters to Candidates such as when a Candidate must know information about whom to contact when going on an interview.
- We do not rent, sell, or share Personal Information about you with nonaffiliated companies for their direct marketing purposes, unless we have your permission. We may share or allow access to data collected through tracking technologies to serve you personalized advertising content that may be relevant to your interests.
- We may employ other third parties to perform services or functions on our behalf for purposes of improving our Site, merchandising, marketing and promotional efforts, communications or other services, or to facilitate e-commerce transactions, including processing orders placed by credit card. Those third parties may include authorized contractors, consultants and other companies working with us (collectively, “**Service Providers**”). These Service Providers only have access to your Personal Information as needed to perform their functions, and they may not use any of your Personal Information for any other purpose than providing or improving Skillful.ly’s services and offerings.
- We also reserve the right to share or transfer your registration information or other Personal Information as we determine, in our sole discretion, to be necessary and appropriate in the following instances: to comply with a legal requirement; to enforce our Terms and Conditions of Use, including for billing and collection purposes; to protect our rights, privacy, safety or property; to disclose any activities or information about you to law enforcement or other government officials, including public or government authorities outside your country of residence; in connection with an investigation of fraud, for the administration of justice, intellectual property infringements or other activity that is illegal or may expose us or you to legal liability; in cooperation with various law enforcement inquiries; to allow us to pursue available remedies or limit our damages; and/or in emergency situations.
- Skillful.ly discloses Personal Information to third parties or advertisers in aggregate form, that is, in a manner that cannot be traced back to you. For example, we may tell one of our Employer Partners how many males between 20 and 30 years in age have visited the Site over a period of time, or the most common personality type in female users.

What Choices Do I Have About My Personal Information?

Skillful.ly values your privacy and strives to provide you with choices regarding the handling of all Personal Information you choose to provide to us. You may choose not to provide us with your Personal Information if you are not comfortable with our practices, as set forth in our Privacy Policy.

If you are receiving marketing communications from us and you wish to unsubscribe, you may do so by clicking on the “unsubscribe” link provided in the communication. Please also note that unsubscribing from future marketing-related messages does not prevent Skillful.ly from sending you administrative messages, as applicable.

Third Party Sites

To the extent hyperlinks are utilized to access other, third party, websites, including links provided as automated search results, you should be aware that these third-party web sites are not controlled by Skillful.ly and, therefore, are not subject to this Privacy Policy. You should review the applicable terms and policies of each linked site visited before providing any personally identifiable information.

Our Data Security Procedures

We seek to use appropriate administrative, technical and physical security measures on the Site and within Skillful.ly that are designed to reasonably safeguard your Personal Information under our control. Please be advised, however, that regardless of Skillful.ly’s best efforts to protect your Personal Information, the confidentiality and security of any communication or material transmitted to or from the Site or via email cannot be guaranteed to be 100% secure at any time. Any transmission of your information is at your own risk. When disclosing any Personal Information, you should be mindful of the fact that it is potentially accessible to the public, and consequently, can be collected and used by others without your consent. We strongly encourage all users to be careful and responsible about what you choose to provide online.

If you have any reason to believe that your interaction with Skillful.ly through this Site is no longer secure, please immediately notify us using the “Contact Us” section below.

Cookies and Other Tracking Technologies

Skillful.ly may place and store Cookies or similar tracking technologies on a user’s device. Cookies are small data files that are stored in your computer or mobile device by your web browser. Cookies may be set by us or our business partners and service providers when you visit the Site or when you interact with one of our advertisements or other Content. Typically, cookies allow us to gather information about the device you are using and collect information, including click stream information, browser type, time and date you visited the site, and other information about your interactions with the Site and/or advertisements therein.

- **Cookies.** We use both session cookies, which terminate when you close your browser, and persistent cookies, which remain on your computer until you manually delete them.
- **Pixel tags.** We may also track your movements through the Site, advertisements and other content through pixel tags (also called web beacons or clear gifs). When you access a page, email or other content containing a pixel tag, the pixel tag generates a notice to us, our service providers or our business partners. We use the information gathered by the pixel tags to monitor the open rate of our communications and to improve and manage content on the Site.

- **Profiling.** Although information we collect through these tracking technologies is not always personally identifiable when collected, we may combine such information with personally identifiable information like your name or email address.

To learn more about Cookies, please visit <http://allaboutcookies.org/>. As of the “Last Updated” date below, there is no commonly accepted response for Do Not Track signals initiated by browsers. Therefore, we do not respond to such signals or to other mechanisms that provide the ability to exercise choice regarding the collection of personally identifiable information regarding your online activities over time and across third-party web sites or online services. Although most web browsers are initially set up to accept Cookies, if you prefer, you may decline the placement of a Cookie on your hard drive by using the appropriate feature(s) of your web browser software (if available) to delete the Cookie. Please understand that certain areas within this Site may not function properly if the web browser will not accept Cookies.

California Privacy Practices

If you are a California resident, please see more information about our privacy practices and your rights under California law below.

Contact Us

Skillful.ly welcomes your questions and comments about this Privacy Policy or the use of your Personal Information. Please email us at privacy@skillful.ly with any questions or comments.

CALIFORNIA-SPECIFIC ADDENDUM

At Skillful.ly, we are mindful of our responsibilities under the California Consumer Privacy Act (together with its implementing regulations, “CCPA”) regarding the collection, use, and disclosure of your personal information, both online and offline. This Privacy Notice applies only to California residents who are subject to the CCPA.

How We Collect, Use, and Share Personal Information

1. Personal Information of California Residents Collected in the Last Twelve Months

We collect information that identifies, relates to, describes, references, and is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household (“California Personal Information”). In particular, we have obtained the following categories of California Personal Information within the last twelve months:

Category	Examples
A. Identifiers.	Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, IP address, email address, account name, or other similar identifiers.
B. Information under the California Customer Records statute.	Personal information described in subdivision (e) of Section 1798.80 (California Customer Records statute). This means any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, name, signature, physical characteristics or description, address, telephone number, education, employment, and employment history.
C. Characteristics of Protected classifications under California or federal law.	Characteristics of protected classifications under California or federal law. This includes, for example, age (40 years or older), race, color, physical or mental disability, sex (including gender, gender identity, and gender expression), sexual orientation, or veteran or military status.
D. Commercial information.	Commercial information, including records of products or services you purchased, obtained, or considered from us.
E. Internet or other similar network activity.	Internet or other electronic network activity information, including, but not limited to, browsing history on our Site, search history, information on your interaction with us when you choose to visit our Site, browser type, domain names, access times, and referring website addresses. This information is not collected, analyzed, or maintained in a way that is traced back to a personal individual.
F. Geolocation data.	Geolocation data.

G. Sensory data.	Video and audio information if a user chooses to submit a testimonial YouTube video about our services, audio recordings of when you called into our support line, and electronic information in the form of Internet or other electronic network activity information, as described above.
H. Professional or employment-related information.	Current or past job history or performance evaluations, position details, or references.
I. Inferences drawn from other personal information.	Inferences drawn from any of the information identified in this subdivision to create a profile about you regarding your preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

For each of these categories, we obtain California Personal Information from a variety of sources. These sources include: yourself, with respect to both online and offline interactions you may have with us, our service providers, and Employer Partners; other entities with whom you transact; others with whom you maintain relationships who may deal with us on your behalf; the devices you use to access our websites and online services; credit bureaus; marketing and analytics providers; public databases; social media platforms; and others consistent with this Privacy Notice. For more information, please see the “What Personal Information does Skillful.ly Collect?” section of our Privacy Policy.

This website uses cookies to improve functionality and performance. You can configure your browser to prevent the placement of cookies when using our site. Please see your browser help documentation for more information.

Please note that California Personal Information does not include:

- Publicly available information from government records;
- Deidentified or aggregate consumer information; and
- Information exempted from the CCPA’s scope, including without limitation, the Gramm-Leach-Bliley Act, the Fair Credit Reporting Act (“FCRA”), the Driver’s Privacy Protection Act of 1994, and certain information associated with business-to-business transactions.

2. Our Use of California Personal Information for Business Purposes in the Last Twelve Months

We use California Personal Information, identified in each of the above categories, for the business purposes listed below.

- A. Audits and reporting relating to particular transactions and interactions, including online interactions, you may have with us or others on our behalf;
- B. Detecting and protecting against security incidents, and malicious, deceptive, fraudulent or illegal activity, and prosecuting the same;
- C. Debugging to identify and repair errors in our systems;

- D. Short-term, transient use including contextual customization of ads;
- E. Providing services on our behalf or on behalf of another, including maintaining or servicing accounts, providing customer service, fulfilling transactions, verifying identity information, processing payments, and other services. This includes:
 - 1. Delivering the services you have requested;
 - 2. Informing you of other products or services available from Skillful.ly;
 - 3. Contacting you via surveys to conduct research about your opinion of current services or of potential new services that may be offered; and
 - 4. Delivering customized content and advertising.
- F. Conducting internal research to develop and demonstrate technology;
- G. Conducting activity to verify, enhance, and maintain the quality or safety of services or devices which we may own, control, or provide;
- H. Preparing statistics and performing analysis to support our operations; and
- I. Receiving and responding to inquiries.

We may also use the information we collect for our own or our service providers' other operational purposes, purposes for which we provide you additional notice, or for purposes compatible with the context in which the California Personal Information was collected. For more information, please see the "How we use your Personal Information" section of our Privacy Policy.

3. Our Sharing of California Personal Information in the Last Twelve Months

A. Disclosure of California Personal Information

Within the last 12 months, we have disclosed California Personal Information identified in Categories (A)-(I) above only (i) at your express request; (ii) as part of an exempt business-to-business commercial transaction; or (iii) to our service providers for the business purpose(s) described above. To learn more about the categories of third parties with whom we share such information, please see the "How we share your Personal Information" section of our Privacy Policy. We may share California Personal Information with trusted providers to perform payment functions, offer collaborative workspaces, or provide other business functions.

When we disclose Personal Information for a business purpose, we execute a contract that describes the purpose and requires the recipient to keep Personal Information confidential and not use it for any purpose except performing the contract.

B. No Sales of Personal Information

We do not sell California Personal Information within the meaning of the CCPA nor do we plan to sell California Personal Information. If that changes, we will let you know in advance and provide you with information so that you may understand and exercise your right to opt-out of the future sale of your California Personal Information.

We do not disclose personal information of individuals we know to be under the age of 16 to third parties for monetary or other valuable consideration as a “sale” under California law, without affirmative authorization.

C. Your California Rights

If you are a California resident, you have certain rights related to your California Personal Information. You may exercise these rights free of charge except as otherwise permitted under applicable law.

As discussed above, the CCPA does not apply to information we obtain, use, or share in connection with certain business-to-business transactions. We will, however, continue to evaluate our business-to-business activities and update our Privacy Policy consistent with California laws and regulations, where applicable.

Right to Access/Know. You may request that we disclose to you:

- the categories of California Personal Information we have collected about you in the last 12 months;
- the categories of sources from which the California Personal Information is collected;
- our business or commercial purpose for collecting or selling California Personal Information;
- the categories of third parties with whom we share California Personal Information;
- the specific pieces of information we have collected about you;
- the categories of your California Personal Information we have sold in the last 12 months, and the categories of third parties to whom the California Personal Information was sold, by category or categories of California Personal Information; and
- the categories of your California Personal Information we have disclosed for a business purpose in the last 12 months, and the categories of third parties to whom the California Personal Information was disclosed, by category or categories of California Personal Information.

Right to Delete. You have the right to request that we delete and direct our service providers to delete California Personal Information about you which we have collected from you. We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- complete the transaction for which we collected the California Personal Information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you;
- detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities;
- debug products to identify and repair errors that impair existing intended functionality;
- exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law;
- comply with the California Electronic Communications Privacy Act;

- engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information’s deletion may likely render impossible or seriously impair the research’s achievement, if you previously provided informed consent;
- enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us;
- comply with a legal obligation; or
- make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Right to Opt-Out. The CCPA provides you with the right to direct us to not sell your California Personal Information. However, as discussed above, we do not engage in the sale of Personal Information as contemplated by the CCPA.

Non-Discrimination. Subject to applicable law, we may not discriminate against you because of your exercise of any of the above rights, or any other rights under the CCPA. This means that we may not deny you goods or services, charge you different prices or rates for services, or provide you with a different level or quality of services (or suggest that we will do so), in response to a request made under the CCPA.

You, or someone you authorize, may request to exercise these rights by:

- Emailing us at privacy@skillful.ly

Please note that we are not responsible for notices that are not labelled or sent properly, or that do not have complete information. If applicable, we will provide you with information on how to submit the request or remedy any deficiencies with the request. Responses to your CCPA request will be delivered in the same manner that we received it.

Residents of the State of California may also request a list of all third parties to whom we have disclosed certain personal information (as defined by California law) during the preceding year for those third parties’ direct marketing purposes. If you are a California resident and would like such a list, please contact us via the Contact section provided below.

D. Verification

As required under applicable law, please note that we may take steps to verify your identity before granting you access to information or acting on your request to exercise your rights. You must provide us with enough information to allow us to reasonably verify you are the person about whom we collected California Personal Information, or an authorized representative, and describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. Please include the statement “Attention: California Privacy Rights Request” in the subject line and body of your written request. We may limit our response to your exercise of the above rights as permitted under applicable law. We will review each request carefully and respond accordingly within the timeframe established by the CCPA.

E. Agent Authorization and Disability Access

Under California law, you may designate an authorized agent to make a CCPA request for California Personal Information on your behalf. To designate an authorized agent to act on your behalf, you must

provide the agent with signed permission to do so, verify your identity with us directly, and confirm you authorized the agent to submit the request.

F. Contact Information

You may contact us with questions or concerns about our privacy policies or practices by emailing us at privacy@skillful.ly.

This California-specific addendum was last updated: September 2, 2020.