



NETSCOUT Job Candidate and Employee Privacy Notice (California)

In this Job Applicant and Employee Privacy Notice (California) (“**Notice**”), we, NetScout Systems, Inc. and its US subsidiaries (“**NetScout**” or “**Company**”), address disclosure requirements towards you, job candidates and employees of NetScout residing in California, under the California Consumer Privacy Act of 2018 and its regulations (“**CCPA**”) at or before the point of collection. These disclosures do not reflect our personal information handling practices with respect to California residents' personal information where an exception or exemption applies under the CCPA.

1. WHAT CATEGORIES OF PERSONAL INFORMATION DO WE COLLECT?

NO PRIVACY: You have no expectation of privacy when you work on our premises, use any computer systems we own or connect to any networks we operate. Your actions and communications may be observed, monitored, recorded, tracked, filtered, deleted, and otherwise processed for the purposes described in this notice.

We may collect the categories of personal information and sensitive personal information (as defined by the CCPA) described in the tables below. In the following, a “consumer” means a job candidate or employee of ours residing in California.

Job Candidates	
Non-Sensitive Personal Information	Retention Period
Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers. Specifically, full name, home address, telephone number, and email address.	Until the withdrawal or rejection of your application, plus 5 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. <ul style="list-style-type: none">Electronic records housed in PeopleFluent: Permanent
Any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, social security number, physical characteristics or description, address, telephone number, education, employment, employment history, , but excluding publicly available information that is lawfully made available to the general public from federal, state, or local government records. (The categories of personal information described in the California Customer Records Act (Cal. Civ. Code § 1798.80(e)) Specifically, full name, home address, telephone number, email address, work history, academic	Until the withdrawal or rejection of your application, plus 5 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. <ul style="list-style-type: none">Electronic records housed in PeopleFluent: Permanent

and professional qualifications, educational records, certifications, references, and interview notes, and any other information you submit, such as the information you provide in an application form, CV, resume, or public profile you share with us.	
<p>Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website application, or advertisement.</p> <p>Specifically, information regarding your access and use of our computer systems, such as your username, , email, and other electronic communications, documents, files, websites accessed, and log files on our computer systems.</p>	<p>Until the withdrawal or rejection of your application, plus 5 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.</p> <ul style="list-style-type: none"> • Electronic records housed in PeopleFluent: Permanent
<p>Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99).</p> <p>Specifically, academic and professional qualifications, educational records, certifications, references, and interview notes.</p>	<p>Until the withdrawal or rejection of your application, plus 5 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.</p> <ul style="list-style-type: none"> • Electronic records housed in PeopleFluent: Permanent
<p>Professional or employment-related information.</p> <p>Specifically, work history, academic and professional qualifications, educational records, certifications, references, and interview notes.</p>	<p>Until the withdrawal or rejection of your application, plus 5 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.</p> <ul style="list-style-type: none"> • Electronic records housed in PeopleFluent: Permanent

Please note that if you are hired and become an employee, the information described above would be retained as part of your personnel file and the applicable retention period as more specifically described in the tables below would apply.

The tables below describe the additional categories of personal information and sensitive personal information we may collect and process if your application progresses and/or you are hired or otherwise engaged to perform services for NetScout:

Employees	
Non-Sensitive Personal Information	Retention Period
<p>Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers.</p> <p>Specifically, full name, signature, home address, telephone number, email address, emergency contact information, login information and IP address on our information systems and networks, social security number, and passport information.</p>	<p><u>All information except social security number and passport information:</u></p> <ul style="list-style-type: none"> • Non-electronic files: Until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. • Electronic employee records housed in Oracle and PeopleFluent: Permanent <p><u>Social security number and passport information:</u></p> <ul style="list-style-type: none"> • NetScout's HR department will retain the information until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. • NetScout's US entities' payroll department will retain the information for 4 years plus any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.
<p>Any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information, but excluding publicly available information that is lawfully made available to the general</p>	<p><u>Contact information and identifying information (except social security number and passport information):</u></p> <ul style="list-style-type: none"> • Non-electronic files: Until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. • Electronic employee records housed in Oracle and PeopleFluent: Permanent <p><u>Social security number, passport information, financial information, and immigration-related information:</u></p>

<p>public from federal, state, or local government records.</p> <p>(The categories of personal information described in the California Customer Records Act (Cal. Civ. Code § 1798.80(e))</p> <p>Specifically:</p> <ul style="list-style-type: none"> • Contact information, such as home address, telephone number, email address, and emergency contact information. • Identifying information, such as full name, gender, date of birth, signature, social security number, and passport information. • Financial information, such as banking details, tax information, payroll information, withholdings information, and other information collected from you in connection with administration of corporate credit cards or expense reimbursement. • Background check information, such as information obtained through reference checks, background screens and/or drug screens subject to any permissions or notifications required by applicable law. • Health, safety, and medical information, such as health conditions relevant to your employment, medical leave information, workplace illness or injury information, workforce and insurance claim information, health insurance policy information, and any information required for compliance with employer's obligations such as administering leave, pay and benefits, health and safety reporting, and workplace accommodations. • Immigration related information, such as visa information and immigration status and documentation. • Demographic data, such as marital status, disability information, and veteran or military status. 	<ul style="list-style-type: none"> • NetScout's HR department will retain the information until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. • NetScout's US entities' payroll department will retain the information for 4 years plus any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. <p><u>Background check information:</u></p> <ul style="list-style-type: none"> • NetScout's US entities will retain the information for 5 years plus any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. <p><u>Health, safety, and medical information:</u></p> <ul style="list-style-type: none"> • Until the end of your employment, plus 7 years (if part of your personnel file) and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. <p><u>Demographic data:</u></p> <ul style="list-style-type: none"> • Until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. • Information in EEO-1 reports is retained permanently.
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<p>Characteristics of protected classifications under California or federal law.</p> <p>Specifically, gender, age, and disability information.</p>	<p><u>Gender and age:</u></p> <ul style="list-style-type: none"> • Until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. <p><u>Disability information:</u></p> <ul style="list-style-type: none"> • Until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. • Information in EEO-1 reports is retained permanently.
<p>Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website application, or advertisement.</p> <p>Specifically, account information location, access rights for our networks and records and logs of such use, communications on company systems (in accordance with the IT Security Policy), login information and IP address on our information systems and networks.</p>	<p>Up to the end of your employment, plus 1 year and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.</p>
<p>Geolocation data.</p> <p>Specifically, time and physical location related to use of an internet website, application, device, or physical access to a Company office location.</p>	<p>Up to the end of your employment, plus 1 year and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.</p>
<p>Audio, electronic, visual, thermal, olfactory, or similar information.</p> <p>Specifically:</p> <ul style="list-style-type: none"> • Data relating to your use of computers, software, networks, communications devices, and other similar systems that (i) we or our affiliates own or make available to you; or (ii) you connect to or use for the purposes of providing services to us or our affiliates; and • Information relating to your activities on our or our affiliates' premises. 	<p>Up to the end of your employment, plus 1 year and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.</p>

<ul style="list-style-type: none"> • This includes call monitoring, badge swiping logs, and video surveillance/CCTV footage at our office locations. 	
<p>Professional or employment-related information.</p> <p>Specifically:</p> <ul style="list-style-type: none"> • Professional background information, such as work history, academic and professional qualifications, educational records, references, and interview notes. • Employment details, such as current (and any prior) job title, position, hire, and service dates, compensation, employee payroll identification number, performance and disciplinary records, work email address, work telephone number (including mobile number), employment contract (including any amendments, side letters, or other agreements), and vacation and sick leave records. • Talent management, performance, and disciplinary details, such as training records, performance records and evaluations and related materials, and disciplinary records (e.g., details of any disciplinary action or investigation, if any). 	<p><u>Professional background information:</u></p> <ul style="list-style-type: none"> • Until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. <p><u>Employment details and talent management, performance, and disciplinary details:</u></p> <ul style="list-style-type: none"> • Non-electronic files: Until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes. • Electronic employee records housed in Oracle and PeopleFluent: Permanent
<p>Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99).</p> <p>Specifically, academic and professional qualifications, educational records, references, and interview notes.</p>	<p>Until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.</p>

Sensitive Personal Information	Retention Period
<p>A consumer's social security, driver's license, state identification card, or passport number.</p> <p>Specifically, social security number and passport number.</p>	<p>NetScout's HR department will retain the information until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.</p> <p>NetScout's US entities' payroll department will retain the information for 4 years plus any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes, whereas NetScout's non-US entities' payroll department will retain the information for 10 years plus any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.</p>
<p>A consumer's racial or ethnic origin, religious or philosophical beliefs, or union membership.</p> <p>Specifically, race and ethnic origin.</p>	<p>Until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes</p> <p>Information in EEO-1 reports is retained permanently.</p>
<p>Personal information collected and analyzed concerning a consumer's health.</p> <p>Specifically, disability information, health conditions relevant to your employment, and medical leave information.</p>	<p>Until the end of your employment, plus 7 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up, and deletion processes.</p> <p>Information in EEO-1 reports is retained permanently.</p>

2. FOR WHAT PURPOSES DO WE COLLECT AND USE PERSONAL INFORMATION?

We collect non-sensitive personal information about our job candidates and employees:

- To assess your qualifications for an open position within the Company.
- To coordinate interviews and prepare offers of employment.
- To comply with all applicable laws and regulations.
- To conduct background checks and/or drug screens.
- To manage your employment relationship with us, including for:
 - onboarding processes;
 - timekeeping, payroll, commissions or bonus payments, restricted stock unit grants, travel and expense report administration;
 - employee benefits administration;
 - employee training and development requirements;

- the creation, maintenance, and security of your online employee accounts;
- reaching your emergency contacts when needed, such as when you are not reachable or are injured or ill;
- workers' compensation claims management;
- participation in company sponsored events;
- employee job performance, including goals and performance reviews, promotions, discipline, and termination;
- assessing your qualifications for a job at the Company and determining your suitability for the role for which you have applied or for other roles within the Company; and
- other human resources purposes.
- To facilitate, manage, and monitor employee access to our and our affiliates' facilities, equipment, and systems, including security activities.
- To conduct internal audits and investigations.
- To investigate and enforce compliance with any potential breaches of Company policies and procedures.
- To process claims and complaints, including the assignment of such claims to third parties.
- To engage in corporate transactions requiring review of employee records, such as for evaluating potential mergers, divestures, and acquisitions of the Company.
- To maintain commercial insurance policies and coverages, including for workers' compensation and other liability insurance.
- To perform workforce analytics, data analytics, and benchmarking.
- To administer and maintain the Company's operations, including for safety purposes.
- To exercise or defend the legal rights of the Company and its employees, subsidiaries, directors, customers, contractors, and agents.

We use sensitive personal information about our job candidates and employees:

- To perform the services or provide the goods, services, and benefits reasonably expected by our job candidates and employees in their role as our job candidates and employees, including those services, goods, and benefits that are reasonably necessary for us to administer the relationship with you as a job candidate or employee and for our employees to perform their duties.
- To prevent, detect, and investigate security incidents that compromise the availability, authenticity, integrity, or confidentiality of stored or transmitted personal information, including in or via our premises, computers, software, networks, communications devices, and other similar system.
- To resist malicious, deceptive, fraudulent or illegal actions directed at us and to prosecute those responsible for those actions.
- To ensure the physical safety of natural persons.
- For short-term, transient use.
- To perform services on behalf of us.

- To verify or maintain the quality or safety of our services and products.
- To improve, upgrade, or enhance our services and products.
- To perform functions that are required under laws that apply to us.
- To collect or process it where such collection or processing is not for the purpose of inferring characteristics about a job candidate or employee.

We do not sell or share for cross-context behavioral advertising any of the categories of personal or sensitive personal information we collect about California resident job candidates and employees.

3. ADDITIONAL INFORMATION

This notice is not intended to create any rights for anyone except us and our affiliates or qualify any other notices or consents of us or our affiliates in any way.

If you have any questions about this Notice or need to access this Notice in an alternative format due to having a disability, please contact your local HR Business Partner or contact the Company at 978-614-4000. Our CCPA Privacy Policy is available [here](#).