

Upstash EU-U.S. HR Data Privacy Framework Policy

This EU-U.S. HR Data Privacy Framework Policy ("Policy") describes how Upstash and its subsidiaries in the United States (who also operate under the "Upstash" brand, so "Upstash," "we," or "us") collect, use, and disclose certain personally identifiable information that we receive in the US from our job applicants, employees, and contractors European Union ("EU") or the United Kingdom ("UK") (such data, "Human Resources Data"). This Policy supplements our Upstash Privacy Policy located at <https://upstash.com/trust/privacy.pdf>, and unless specifically defined in this Policy, the terms in this Policy have the same meaning as the Upstash Privacy Policy.

Upstash complies with the EU-U.S. Data Privacy Framework, including the UK extension ("EU-U.S. DPF") as set forth by the U.S. Department of Commerce. Upstash has certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles ("EU-U.S. DPF Principles") with regard to the processing of Human Resources Data received from the European Union and UK in reliance on the EU-U.S. DPF. If there is any conflict between the terms in this Policy and the EU-U.S. DPF Principles, the Principles shall govern. To learn more about the Data Privacy Framework ("DPF") program, and to view our certification, please visit <https://www.dataprivacyframework.gov/>.

For purposes of enforcing compliance with the EU-U.S. DPF, Upstash is subject to the investigatory and enforcement authority of the US Federal Trade Commission.

Human Resources Data Collection and Use

Our Upstash EU HR Privacy Policy located in our shared point site describes the categories of Human Resources Data that we may receive in the US as well as the purposes for which we use that Human Resources Data. We may collect different kinds of information from and about you in connection with job application or employment with us. For example, please note that we may receive the following categories of Human Resources Data in the US: **contact information, personal identifiers, sensitive information, protected classification characteristics, and employment information.**

We may process Human Resources Data for the following purposes: to provide compensation and benefits to you; to provide our website and services to you; to maintain, analyze, and improve your experience on our website and services; to communicate with you and provide customer and technical support; to monitor and enforce our contracts and legal terms; to detect and prevent fraud; and to fulfill the purpose for which you provided your information to us. Upstash will only process Human Resources Data in ways that are compatible with the purpose that Upstash collected it for, or for purposes the individual later authorizes.

Before we use your Human Resources Data for a purpose that is materially different than the purpose we collected it for or that you later authorized, we will (at a minimum) provide you with the opportunity to opt out as required by law. Upstash maintains reasonable procedures to help

ensure that Human Resources Data is reliable for its intended use, accurate, complete, and current.

Data Transfers to Third Parties

Third-Party Agents or Service Providers. We may transfer Human Resources Data to our third-party agents or service providers who perform functions on our behalf as described in our Upstash EU HR Privacy Policy. We take reasonable and appropriate steps to ensure that third-party agents and service providers process Human Resources Data in accordance with our EU-U.S. DPF obligations and to stop and remediate any unauthorized processing.

Under certain circumstances, we may remain liable for the acts of our third-party agents or service providers who perform services on our behalf for their handling of Human Resources Data that we transfer to them.

Disclosures for National Security or Law Enforcement. Under certain circumstances, Upstash may be required to disclose your Human Resources Data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

Upstash may make additional disclosures as indicated in its Upstash EU HR Privacy Policy. In the context of an onward transfer of your personal information, Upstash remains responsible for the processing of personal information we receive under the DPF Principles and subsequently transfers to a third party acting as an agent on our behalf. As required by law, Upstash remains liable under the EU-U.S. DPF Principles if its agent processes such personal information in a manner inconsistent with the EU-U.S. DPF Principles, unless another party is responsible for the event giving rise to the damage.

Access Rights

Pursuant to the EU-U.S. DPF, EU and UK individuals have the right to obtain our confirmation of whether we maintain Human Resources Data relating to you in the United States. Upon request, we will provide you with access to the Human Resources Data that we hold about you. You may also correct, amend, or delete the Human Resources Data we hold about you. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data transferred to the United States under the EU-U.S. DPF, should direct their query to privacy@upstash.com. If requested to remove data, we will respond within a reasonable timeframe.

We will provide an individual opt-out choice, or opt-in for sensitive data (including personal information specifying medical or health conditions, or racial or ethnic origin), before we share your data with third parties other than our agents, or before we use it for a purpose other than which it was originally collected or subsequently authorized. To request to limit the use and disclosure of your Human Resources Data, please submit a written request to privacy@upstash.com. Upstash may limit its response to your exercise of rights as permitted by law.

Questions or Complaints

In compliance with the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF, Upstash commits to resolve DPF Principles-related complaints about our collection and use of your personal information. EU and UK individuals with inquiries or complaints regarding our handling of personal data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF, should first contact Upstash at privacy@upstash.com. In compliance with the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF, Upstash commits to cooperate and comply respectively with the advice of the panel established by the EU data protection authorities (DPAs) and the UK Information Commissioner's Office (ICO) with regard to unresolved complaints concerning our handling of human resources data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF in the context of the employment relationship.

Binding Arbitration. Under certain conditions, you may invoke binding arbitration for complaints regarding EU-U.S. DPF compliance not resolved by any of the other DPF mechanisms. To understand when such terms apply, please see Annex I of the DPF here: <https://www.dataprivacyframework.gov/framework-article/ANNEX-I-introduction>