

**UNITED STATES DEPARTMENT OF LABOR  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

OFFICE OF FEDERAL CONTRACT  
COMPLIANCE PROGRAMS, UNITED  
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

ORACLE AMERICA, INC.,

Defendant.

OALJ Case No. 2017-OFC-00006

OFCCP No. R00192699

**DECLARATION OF KAUSHIK  
BUDDHADEV IN SUPPORT OF  
DEFENDANT ORACLE  
AMERICA, INC.'S OPPOSITION  
TO OFCCP'S MOTION TO  
COMPEL HISTORICAL DATA  
OF COMPARATOR  
EMPLOYEES**

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APR 24 2019

Office of Administrative Law Judges  
San Francisco, Ca

I, Kaushik Buddhadev, declare:

1. I am the Senior Director for the Oracle Application Labs (hereinafter "OAL"). I make this declaration in support of Oracle's Opposition to OFCCP's Motion to Compel Historical Data of Comparator Employees. I have personal knowledge of the facts set forth herein, except where expressly stated to be alleged on information and belief, and if called as a witness could competently testify thereto.

2. As part of my job duties, I supervise an OAL team of programmers who have been tasked with extracting various types of data from various Oracle databases and putting data into exportable format for use and production in the above-titled matter.

**2017 Data Exports**

3. I am aware of prior data extractions that OAL made in 2017 under the supervision of my colleague Linda Zhao, Senior Director for OAL. I have reviewed her Declaration in this matter, dated August 25, 2017, which is attached as **Exhibit A**. Her description of the 2017 data extract project in her Declaration comports with my personal understanding and observations of the project. In 2017, the OAL team was tasked with extracting various types of data for over 12,000 employees and applicants over a four-year period. My understanding is that this data extract population included, but was not limited to, over 7,000 current and former Oracle employees who worked at Oracle Headquarters (HQCA) in the Product Development, Information Technology and Support job functions at any time from January 1, 2013, to January 17, 2017. Furthermore, my understanding is that, for each employee, OAL endeavored to export Oracle's compensation data going back to 1985.

4. OAL worked on the project from approximately July 2017 to October 2017. Because of the large scope and complexity of the project as well as the time demands, this

project caused major disruptions to the OAL team and caused them to shift their priority from working on other projects that are central to Oracle's operations and business. To meet this urgent demand, Oracle dedicated ten OAL team members to the 2017 Project, most of whom worked on it full time when needed and/or as a top priority. OAL drafted over 50 scripts and spent over 360 person hours on the 2017 Project.

5. In early 2019, OAL began the process of updating the data produced in 2017. This entails both (1) updating the 7,000+ employee population to include employees who have since started work at HQCA in the Product Development, Information Technology, Support job functions from January 18, 2017, to January 18, 2019, as well as supplementing the employee data for the more than 7,000 individuals previously pulled through January 18, 2019. Again, because of the scope and complexity of the project as well as the deadline to produce the data exports, this project has also caused OAL programmers to shift their priorities from other projects that are central to Oracle's operations and business. Oracle has dedicated 9 OAL team members to the 2019 Project, some of whom did not work on the 2017 project and thus take longer to familiarize themselves with the project. As of today, OAL has drafted or revised over 60 scripts and spent over 400 person hours on the 2019 Project. I anticipate it will take many more hours to complete the 2019 Project. OAL is still in the process of updating the 2017 data.

**OFCCP's Data Request in Its Motion to Compel Historical Comparator Data**

6. I am informed and believe that OFCCP has requested that Oracle identify and produce the population of individuals who worked at HQCA any time between January 1, 1985, and December 31, 2012, in the Product Development, Information Technology or Support job functions. My understanding from my OAL programmers is that this population would be at least an additional 12,000 individuals for whom we have not already pulled data.

7. Furthermore, my understanding is that OFCCP has requested that Oracle pull historical data for each of those 12,000 as far back as possible to 1985 including data from (1) Taleo (Oracle Public Cloud Service), (2) Human Capital Management (HCM) Fusion (Oracle Public Cloud Service), and (3) Global Single Instance (GSI on-premise instance).

8. I am familiar with the time it takes an OAL programmer to research and extract this large amount of legacy data. I am also familiar with the complexity of these data requests. This data pull would be extremely time consuming. Like prior data pulls, OAL must pull the requested data from multiple databases and modules. Moreover, the requested data resides across eleven modules within the Taleo, GSI and HCM databases. The numerous modules within Taleo, GSI and HCM from which OAL must pull data include Taleo Recruiting, Core HR, iRecruitment, Payroll, Workflow, Compensation Workbench, Workforce Compensation, Talent Review, Performance Appraisal, and Manager Self Service.

9. There are no reporting functions in the relevant databases and modules that would provide the exact data requested. To gather the data, the OAL team must draft and/or revise various programming scripts to extract the varied data requested from the myriad locations in which it resides. The scripts are drafted by the most senior team members and reviewed by their managers.

10. After extracting the data into spreadsheets, OAL must then perform a quality control review by running the scripts to determine if the correct data is returned and if the mapping function properly links each piece of data extracted to each other piece, across the common fields, by employee name and/or employee identification number.

11. After the test scripts are run, my team must coordinate with Oracle's counsel to ensure that the data is presented in a logical, readable format and that it includes the information

requested by OFCCP. This has and will likely continue to result in changes to the scripts and has made it necessary to revise and rerun various exportable spreadsheets

12. Working on the Historical Data Request would cause major disruptions to the OAL team and cause them to shift their priority from (1) working on other projects that are central to Oracle's operations and business and (2) the 2019 Project updating the 2017 data.

13. I anticipate that it will take approximately 12 OAL team members approximately 500 person hours to research, extract, quality control the data as described in paragraphs 6-12, and coordinate with Oracle's counsel to ensure that the data is presented in a logical, readable format and includes the information requested by OFCCP. I estimate it would take at least an additional 8 weeks to provide this data, after the completion of the other projects requested by OFCCP, which we are already working on.

I declare under penalty of perjury under the laws of the United States and California that the foregoing is true and correct.

Executed on April 24, 2019, at Redwood City, California

  
Kaushik Buddhadev

# EXHIBIT A

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Office of Administrative Law Judges  
San Francisco, Ca

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COMPLIANCE PROGRAMS, UNITED  
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OALJ Case No. 2017-OFC-00006

OFCCP No. R00192699

**DECLARATION OF LINDA  
ZHAO IN SUPPORT OF  
DEFENDANT ORACLE  
AMERICA, INC.'S OPPOSITION  
TO OFCCP'S MOTION TO  
COMPEL AND FOR ORDER  
SETTING PRODUCTION  
SCHEDULE**

ENTERED  
AUG 28 2017  
CALENDARE

I, LINDA ZHAO, hereby declare as follows:

1. I am the Senior Director for the Oracle Applications Labs (hereinafter "OAL"). I make this declaration in support of Oracle's Opposition to OFCCP's Motion to Compel and Order Setting Production Schedule. I have personal knowledge of the facts set forth herein, and if called as a witness could competently testify thereto.

2. The OAL team has been tasked with extracting various types of data from various Oracle databases and putting it in an exportable format for use and production in the above-titled matter.

3. The OAL team has been instructed that this data extract project is of the highest priority and is needed as soon as possible. Working on this project has caused major disruptions to the OAL team and caused them to shift their priority from working on other projects that are central to Oracle's operations and business. To meet the urgent demand, Oracle has dedicated

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ten OAL team members, most of whom have worked on this project full time when needed and as a top priority because it is both complex and large in scope. We began the project on July 7, 2017, and it is still in progress. As of today we have spent approximately 360 person hours on this project.

4. The scope of the data request is very large and involves pulling over several hundred of fields of data for over 12,000 employees and many thousands of applicants over a four-year period.

5. The project is complex because OAL must pull the requested data from multiple databases and modules. The data requested resides in three databases, Taleo (Oracle Public Cloud Service), Human Capital Management (HCM) Fusion (Oracle Public Cloud Service), and Global Single Instance (GSI on-premise instance), and across eleven modules within the Taleo, GSI and HCM databases. The numerous modules within Taleo, GSI and HCM from which OAL must pull data include Taleo Recruiting, Core HR, iRecruitment, Payroll, Workflow, Compensation Workbench, Workforce Compensation, Talent Review, Performance Appraisal, Candidate Offers, and Manager Self Service.

6. There are no reporting functions in the relevant databases and modules that would provide the exact data requested. So to gather the data, the OAL team must draft various programming scripts to extract the varied data requested from the myriad locations in which it resides. The scripts are drafted by the most senior team members and reviewed by the managers. To date, OAL has drafted about 50 scripts and projects it will have to write at least a few more before the close of the project.

7. In general, the process of writing scripts to extract the requested data includes analyzing the request and identifying the different modules that must be used to gather the data (Taleo Recruiting, Core HR, iRecruitment, Payroll, Workflow, Compensation Workbench, Workforce Compensation, Talent Review, Performance Appraisal, Candidate Offers, and Manager Self Service), assigning tasks to various individuals handling the respective modules,

creating an employee list to tailor the extract to only the relevant individuals, and sharing that employee list with other module owners to begin the process of pulling the relevant information.

The types of scripts OAL has drafted include:

- a. Employee/Applicant List: To gather data for the relevant individuals OAL wrote scripts to create an employee list to limit the extract by geography and job function. This was a multi-step process. First, OAL wrote a script that limited the extract to employees and applicants at Redwood Shores or Redwood City, California. Next, OAL wrote a script to identify which employees or applicants were assigned or applied to the Product Development, Information Technology, or Support lines of business.
- b. Personnel Details: OAL has written and is continuing to refine/finalize a script to extract all the requested personnel data for the individuals on the employee list.
- c. Assignment Details: OAL has written and is continuing to refine/finalize numerous scripts to extract assignment details for the individuals on the employee list. To do this, OAL has written and is continuing to refine/finalize different scripts to gather various data associated with employment information, office details, basic applicant detail, background-check status, basic benefits information, and hire and termination details.
- d. iRecruitment Data: To extract the data requested from the iRecruitment module, OAL has written and is continuing to refine/finalize different scripts to extract the data from the various data fields within iRecruitment. This included writing scripts to extract the various data associated with vacancy detail, applicant employment history, applicant phone number, applicant profile, applicant qualifications, education, school, experience, jobs applied for, and applicant offer and compensation details in the offer (whenever an

offer for employment was extended), and file names of any attachments within iRecruitment such as resumes, cover letters, or letters of recommendation.

- e. Workflow: To extract the data requested from the Workflow module OAL has written and is continuing to refine/finalize a script to extract the various data associated with offer and ad hoc compensation approval history with any related comments within the module.
- f. Payroll: To extract the requested payroll data, OAL has written and is continuing to refine/finalize different scripts to gather various data associated with salary history, assignment history, Medicare wages, and other compensation details including bonus and equity information.
- g. Compensation Workbench: To extract the data requested from the Compensation Workbench module, OAL has written and is continuing to refine/finalize different scripts to gather various data associated with all annual focal and equity history data, all rankings, ratings, and notes, related approval, and audit history including persons and the dates associated with the change/approval.
- h. Workforce Compensation: To extract the data requested from the Workforce compensation module in Fusion, OAL has written and is continuing to refine/finalize different scripts to gather various data associated with all annual focal and equity history data, all rankings, ratings, and notes, related approval, and audit history including persons and the dates associated with the change/approval.
- i. Performance Appraisal: To extract the data requested from the Performance Appraisal module, OAL has written and is continuing to refine/finalize scripts to extract various data associated with the appraisal data for the individuals on

the employee list, all ratings, final talent ratings, questionnaires that employee and managers and 3rd party participants enter, and comments regarding an employee within the module.

- j. Talent Profile: To extract the data requested from the Talent Profile module, OAL has written and is continuing to refine/finalize different scripts to extract various data associated with any notes within the module, along with any given tasks listed in the module, and all assigned Talent Profile ratings.
  - k. Taleo Recruiting: To extract the data requested from the Taleo database OAL has written and is continuing to refine/finalize various scripts to extract various data associated with the vacancy detail, applicant employment history, applicant phone number, applicant profile, applicant qualifications, education, school, and applicant experience. OAL is still developing a means to extract the associated documents from Taleo, such as resume, cover letter, and letters of recommendation with help from Taleo Product Development team due to limitation of the current version of the Taleo product. This has been a learning experience for Taleo Product Development, as it has never had to do this before for any customers.
  - l. Manager Self Service: To extract the data requested from Manager Self Service module in GSI, OAL has written and is continuing to refine/finalize different scripts to extract various data associated with Ad hoc compensation changes and approvals through Manager Self Service
  - m. Manager Action in Fusion: To extract the data requested from Manager Action module in Fusion, OAL has written and is continuing to refine/finalize different scripts to extract various data associated with Ad hoc compensation changes and approvals through Manager Action in Fusion.
8. All the scripts have common fields such as employee name or employee

identification number or applicant number that can be used to link the data across multiple Excel spreadsheets so the data can be presented in a readable format.

9. After extracting the data into spreadsheets, OAL must then perform a quality control review by running the scripts to determine if the correct data is returned and if the mapping function properly links each piece of data extracted to each other piece, across the common fields, by employee name and/or employee identification number.

10. After the test scripts are run, my team must coordinate with Oracle's counsel to ensure that the data is presented in a logical, readable format and that it includes the information requested by OFCCP. This has and will likely continue to result in changes to the scripts and has made it necessary to revise and rerun various exportable spreadsheets.

11. To date, my team has spent over 360 person hours working on this project to pull data from January 1, 2013 through January 17, 2017, not to mention time spent by the Taleo Product Development team. I anticipate it will take many more hours to complete this phase alone. In light of the scope of this project, the fact that there are a number of scripts that are still yet to be written, and the amount of quality control review that still needs to be conducted, this project cannot be completed by September 1, 2017. I do not believe it is feasible to complete this project prior to October 1, 2017.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Executed in Redwood City, California, on August 25, 2017.



LINDA ZHAO

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