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

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| **OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS, UNITED STATES DEPARTMENT OF LABOR,**<br><br>Plaintiff,<br><br>v.<br><br>**ORACLE AMERICA, INC.**<br><br>Defendant. | Case No. 2017-OFC-00006 |

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MAY 17 2019
Office of Administrative Law Judges
San Francisco, Ca

**DECLARATION OF M. ANA HERMOSILLO IN SUPPORT OF OFCCP'S OPPOSITION TO ORACLE AMERICA INC.'S MOTION TO COMPEL**

I, M. Ana Hermosillo, state and declare as follows:

1. I am a Trial Attorney for the U.S. Department of Labor, Office of the Solicitor. I submit this declaration in support of OFCCP's Opposition to Oracle America Inc.'s Motion to Compel. I have been involved in contacting current and former Oracle employees, who we believe to be members of the effected class in the instant case. I also work with multiple other attorneys who have been doing the same type of work and who have shared with me their conversations with current and former Oracle employees. I have personal knowledge of the matter set forth in this declaration, and I could and would competently testify thereto if called upon to do so.

2. Of the employees interviewed by myself, and my coworkers, almost all have expressed fear of retaliation and requested that the information shared with us be treated as confidential.

3. Some witnesses have been so scared of reprisal, they insisted on verifying my telephone number, and calling it back, just to make sure it is actually a Department of Labor number.

4. A few witnesses have asked me to send them a work email so that he/ she could see that I had a legitimate government email address.

5. In the middle of multiple interviews, I have had to provide assurances that I would not inform the employee's manager what the employee was sharing with me.

6. I have also been told by more than one employee that they fear being blacklisted in the industry if their participation is revealed in this case.

7. Employees have also reported that they feared being identified by race and workgroup alone due to the limited demographic diversity in certain workgroups.

8. In addition, employees have reported to us that Oracle has a history of coercing and even in some cases taking adverse employment action against those employees who have questioned their pay. A few representative examples are detailed below.

9. One female employee told me that she had gone to Human Resources with questions about her pay, and she was later instructed by her supervisor, at Human Resources' request, not to contact Human Resources with questions about her pay again.

10. Another female employee shared with us that she went to Human Resources with questions about her pay. She requested that Human Resources not reveal that she had gone to HR with pay questions to her supervisor. Regardless of her request, her manager found out about her questioning and reprimanded her. Thereafter, she received a negative performance review for the first time.

11. Another former female employee told us that she tried to get a raise for one of her reports, and contacted other managers to get them to provide statements of support. She was subsequently reprimanded by Human Resources for doing this.

12. Another female employee reported to us that she was reprimanded by her manager for telling her coworker that he was not being paid enough.

13. Employees have also reported to us that Oracle retaliates against employees who advocate for themselves outside of the pay context. A few representative examples are detailed below.

14. One female employee who did not have any prior performance issues told us that she was put on a performance improvement plan after she reported abusive treatment by a man on her team.

15. An Asian employee shared with us that their manager told them that processing of their lawful permanent residence application would be delayed if they sought a promotion.

16. Many current and former employees have told us that they were laid off or reprimanded by their managers for requesting promotions or performance reviews.

I declare under penalty of perjury that the foregoing is true and correct and that this was executed in Seattle, Washington on May 17, 2019.

M. Ana Hermosillo