

**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

**DEPOSITION DESIGNATIONS
RE THE DEPOSITION OF KATE
WAGGONER RULE 30(b)(6)
MAY 1, 2019**

Pursuant to the Court's Order on December 9, 2019, Oracle hereby submits the following deposition designations, including any errata and/or objections to such testimony by either party. To the extent that the testimony designated herein calls for privileged and/or confidential information, Oracle objects.

Respectfully submitted,

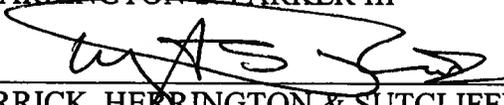
December 20, 2019

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DEPOSITION DESIGNATIONS RE THE DEPOSITION OF KATE WAGGONER
RULE 30(B)(6), MAY 1, 2019

DEPOSITION OF KATE WAGGONER – RULE 30(B)(6) MAY 1, 2019

Page/Line	Objection/Errata
<p>8:1-9:21</p> <p>1 · · · · Q. Ms. Waggoner, can you tell me what your 2 · current job is at Oracle? 3 · · · · A. My current job is the senior director of 4 · global compensation. 5 · · · · Q. And how long have you been in that 6 · position? 7 · · · · A. Since January of 2018. 8 · · · · Q. And what was the position you held before 9 · that? 10 · · · · A. Director of global compensation. 11 · · · · Q. How long did you hold that position? 12 · · · · A. Oh, a year and a half, two years, maybe. I 13 · don't recall the exact dates. It's just a progression. 14 · · · · Q. Did you first get that position in November 15 · of 2014? 16 · · · · A. I think I was probably a senior manager 17 · around that time. 18 · · · · Q. Okay. So for about a year and a half 19 · before you were senior director, you were just director 20 · of global compensation, and then before that, you were 21 · senior manager -- 22 · · · · A. Yes. 23 · · · · Q. -- of compensation? 24 · · · · A. Of compensation. 25 · · · · Q. And when did you first become senior 9 1 · manager of compensation? 2 · · · · A. I think that was November of 2014. Prior 3 · to that, I was a consultant, not in management, but also 4 · in the comp field. 5 · · · · Q. All right, in your current position, what 6 · are your job duties? 7 · · · · A. I'm in charge of the team that does various 8 · things. I work on the -- we do the administration of 9 · all of our annual compensation program, so annual merit 10 · increases, equity grants and corporate bonus plans. We 11 · administer that and work with our Oracle software to 12 · make that happen globally. 13 · My team also is responsible for any M and A 14 · compensation activity, so integrating employees into our 15 · job codes and our pay plans and those -- anything 16 · related to that.</p>	

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Page/Line	Objection/Errata
<p>80:23-81:5</p> <p>23 · · · · A. We have -- discretionary title are -- 24 · discretionary titles are just what they say, they're at 25 · the discretion of -- we've had people with Queen of</p> <p>81</p> <p>1 · Sheba for their discretionary title. Like we don't 2 · control discretionary titles. 3 · · · · Q. (By Mr. Miller) Did they really have Queen 4 · of Sheba? 5 · · · · A. They did. This was back a long time ago,</p>	
<p>81:6-8</p> <p>6 but we don't -- this isn't a mandatory -- some people 7 don't have a discretionary title at all. It's -- it's 8 put in there with a --</p>	
<p>81:13-23</p> <p>13 Q. (By Mr. Miller) Turning your attention to 14 slide 15 and the accompanying note. So this is a page 15 marked 25 and 26. So this slide is titled Choosing the 16 Correct Job Code. Who selects job code at Oracle? 17 MS. CONNELL: Objection, assumes facts. 18 A. So the job code, as it says, it reflects a 19 role. So a manager will decide what role they have, and 20 the manager would decide what job code to use in a 21 posting for an opening on their team, because the job 22 code reflects in very, very general terms what the role 23 is that they need to fill.</p>	
<p>81:24-82:3</p> <p>24 · · · · Q. (By Mr. Miller) So they do that in the job 25 · code, and then at hiring, are they locked into the job</p> <p>82</p> <p>1 · code? If the job code is in the requisition or the 2 · posting, is that the only job code the employee could 3 · have?</p>	
<p>82:4-19</p> <p>4 A. Depending on the candidate selected, they 5 could go up one level or down one level.</p>	

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Page/Line	Objection/Errata
<p>6 Q. So that would then affect -- 7 A. But it has to be the same family. 8 Q. Okay. So on this slide, there's a second 9 set of statements after the first one you reference 10 that's about what's important about getting the correct 11 job code. I mean, it lists salary range, bonus 12 eligibility, overtime eligibility, these eligibility 13 systems access and more. 14 Are you aware of other parts of employment 15 at Oracle that are impacted by job code? 16 MS. CONNELL: Calls for speculation. 17 A. The one that comes to mind would be 18 business class for travel but, otherwise, I can't think 19 of anything.</p>	
<p>85:5-16</p> <p>5 Q. (By Mr. Miller) Have job codes been a 6 factor in setting pay at Oracle for as long ago you've 7 worked there? 8 MS. CONNELL: Objection, assumes facts. 9 Misstates the document. 10 A. There are many, many, many factors that go 11 into setting pay, so I mean, the job code to which 12 someone applies would assist as kind of a starting point 13 to tell us about what that broad range may be. But then 14 we have vocation and product and skills and experience 15 and knowledge and everything that they bring to the 16 table. There's a lot that goes into play with that.</p>	<p>Errata: location</p>
<p>85:17-25</p> <p>17 Q. (By Mr. Miller) How long has job code been 18 . used to set salary grade at Oracle? 19 A. I am not really sure. 20 . MS. CONNELL: Objection, vague. 21 Q. (By Mr. Miller) Has that always been the 22 . case since you worked there? 23 A. Yes, I mean, the -- the structure of our 24 . general architecture has been in place since I've been 25 . around. There have been additions and subtractions</p>	
<p>86:1-9</p> <p>1 throughout the years, but -- 2 Q. (By Mr. Miller) And we talked about this</p>	

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Page/Line	Objection/Errata
5· MS. CONNELL: Objection, vague, calls for 6· speculation. 7· . . . A· She's on the HR team. 8· . . . Q· (By Mr. Miller) So I know that you're not 9· on this e-mail, so I assume you have not seen this 10· e-mail before now? 11· . . . A· I have not. 12· . . . Q· But it looks like, if you go back to 22, 23 13· and 24, that this is a -- looks like a recommendation 14· about pay being passed up the chain; is that right? 15· MS. CONNELL: Objection, document speaks 16· for itself, mischaracterizes the document. 17· . . . A· The subject line specifically says it's a 18· job offer. 19· . . . Q· (By Mr. Miller) And do you know what GSI 20· stands for? 21· . . . A· GSI is our global single instance. It has 22· to do with -- it was our old E-business suite before we 23· moved to our new Oracle cloud, for us internally.	
<p>118:3-7</p> 3 Q. (By Mr. Miller) Could you place an 4 employee in a salary range without considering 5 performance? 6 MS. CONNELL: Objection, incomplete 7 hypothetical, calls for speculation.	
<p>118:8-24</p> 8· . . . A· You wouldn't know performance for a new 9· hire. 10· . . . Q· (By Mr. Miller) Okay, so excluding new 11· hires, somebody who had been there for sometime, can you 12· place them in a salary range without knowing their 13· performance? 14· MS. CONNELL: Objection, lacks foundation, 15· calls for speculation. 16· . . . A· Could you? Maybe. 17· . . . Q· (By Mr. Miller) So my understanding is 18· that Oracle has a focal review that you mentioned before 19· and that there's also a separate performance review 20· system; is that correct? 21 MS. CONNELL: Objection, assumes facts, 22· lacks foundation.	

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Page/Line	Objection/Errata
<p>23 . . . A. The performance review system is separate 24 · from compensation programs, yes.</p>	
<p>120:2-22</p> <p>2 . . . Q. (By Mr. Miller) Okay. So is performance 3 · an element of the focal review? 4 · MS. CONNELL: Objection, calls for 5 · speculation. 6 . . . A. For some lines of business, yes. For 7 · others, no. 8 . . . Q. (By Mr. Miller) Is there a principaled way 9 · to determine which lines of business uses performance 10 · and which don't? 11 MS. CONNELL: Objection, vague. 12 . . . A. No. 13 . . . Q. (By Mr. Miller) Is that a decision that's 14 · left up to the line of business? 15 · MS. CONNELL: Objection. 16 . . . A. What decision? 17 . . . Q. (By Mr. Miller) Whether or not to include 18 · performance in the focal review. 19 · MS. CONNELL: Objection, vague. 20 . . . A. Within a line of business -- it could even 21 · be different within a line of business, but a 22 · performance piece is not required for the compensation.</p>	
<p>125:6-11</p> <p>6 . . . Q. So during the focal review, are the 7 · managers required to rank the employees they supervise 8 · in making proposals about increases? 9 · MS. CONNELL: Objection, calls for 10 · speculation, assumes facts. 11 . . . A. Required -- required, no.</p>	
<p>125:12-21</p> <p>12 Q. (By Mr. Miller) Is it common for them to 13 do so? 14 MS. CONNELL: Same objections. 15 A. I -- I don't have any idea. It's not 16 something that's required within our tool. But while 17 it's not required, they do have a limited budget, so 18 assuming they have people among whom they need to spread</p>	