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12 UNITED STATES DISTRICT COURT FOR THE
13 NORTHERN DISTRICT OF CALIFORNIA

14	OFFICE OF FEDERAL CONTRACT)	Case No.: 2017-OFC-00006
	COMPLIANCE PROGRAMS, UNITED)	
15	STATES DEPARTMENT OF LABOR)	DECLARATION OF AMIT SHARMA
16)	
	Plaintiff,)	
17	V.)	
)	
18	ORACLE AMERICA, INC.)	
)	
19	Defendant.)	
20)	
)	
21)	
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1 I, Amit Sharma, state and declare as follows.

2 1. I am providing this declaration pursuant to a request from the U.S.
3 Department of Labor, Office of the Solicitor.

4 2. I identify as an Asian male and I worked for Oracle America, Inc. at the
5 Redwood Shores facility from approximately August of 1999 to May of 2019. I have
6 personal knowledge of the matters stated herein and, if necessary, I could and would testify
7 to the facts stated below.

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9 3. I obtained a Bachelor's degree in Metallurgy Engineering from Indian
10 Institute Technology, Varanasi, India.

11 4. Prior to being hired by Oracle, I had about four years of experience in the
12 technology industry. In the job I had prior to working at Oracle, I held the title of Software
13 Consultant where I worked with an engineering team where we designed and developed
14 database tools and utilities.

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16 5. I was hired by Oracle after I had worked for Oracle as a contractor. I was
17 hired into Oracle as a Software Developer 3, an IC 3 position, but my discretionary title was
18 Senior Member of Technical Staff. I worked in Product Development. In around 2003, I
19 was promoted to Software Developer 4, an IC 4 position, with the discretionary title of
20 Principal Member of Technical Staff. In around 2006, I became a Software Development
21 Manager 2, an M2 position. My discretionary title was also Software Development Manager.
22 In around 2009, I was promoted to an M3 position, and I had the discretionary title of Senior
23 Software Development Manager. I was promoted to Software Development Director, an M4
24 position in around 2015. I held the Software Development Director until I was laid off in
25 May of 2019.

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1 6. For most of my employment at Oracle, its Product Development has had
2 three primary pillars of business: Database, Middleware/Cloud, and Applications. When
3 Cloud was initiated, it was part of Middleware. Middleware was a much bigger part of the
4 organization Cloud. However, by around 2018, Cloud had outgrown Middleware and had
5 somewhat consumed that pillar. Then in 2019, Oracle folded its Middleware pillar into the
6 other parts of Product Development, and Cloud became its own pillar. I worked with
7 Middleware products, and I was laid off around the time that Cloud became its own pillar.

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9 7. As a Software Development Director, I worked on Identity Governance
10 Product, which is part of the Identity Management Suite. Eric Olden managed the Suite, Eric
11 was the Senior Vice President. Under Eric was Ashish Kolli. Ashish held the position of
12 Vice President. Under Ashish was Sudharkar Peddibhotola, Sudharkar was a Senior
13 Director. I answered to Sudharkar. On average, I had between six to eight employees
14 reporting to me. I had the same group of employees reporting to me when I was a Senior
15 Manager on the team.

16 8. Sudharkar did the hiring for my team, so while I participated in interview
17 panels, I was not involved in the offer-process with new hires. However, I did participate in
18 the focal review. The focal review is where stock grants and salary raises are determined.
19 During the focal review, Sudharkar would ask me to rank the employees who reported to me
20 in terms of performance. Sudharkar told me that the budget would only permit an increase
21 for one or two employees. I was never asked if I thought any employee's pay should be
22 adjusted because employees were not being paid equitably. At no point in my career as a
23 manager, was I asked to input the ratings I gave my employees into the system used for the
24 focal review. The only time I made salary changes in the system was for my employees was
25 when the change was related to an H1B visa renewal.

1 9. Sudharkar was not unusual in that he asked me to rank the employees on my
2 team in terms of performance. This was the practice under every manager I worked for at
3 Oracle. It was also not unusual that the budget would only permit an increase for one or two
4 employees. Again none of these managers asked me if I thought the employees were being
5 paid fairly on my team.

6 10. More than once while working at Oracle, a new hire was brought in at a lower
7 level than me, but for more pay than I earned. For example, in around 2011 or 2012, I
8 learned that Oracle was going to hire a Principal Member of Technical Staff for \$150,000
9 dollars base pay with stock. This individual was going to be working in the Identity
10 Management Suite, so he was working on the same type of products as I did.

11 11. I heard rumors that the Cloud Team was hiring Directors at \$250,000 base
12 pay, plus stock options. I could not find out if the rumor was true. The only way you can
13 learn how much an employee was making is if he or she is your direct report. It was not
14 possible for me to find out how much money other Directors, even within Product
15 Development, were making.

16 12. On more than one occasion, I asked my managers for a raise. The response
17 that I received was that their hands were tied, and they could not.
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19 13. While I did not receive an appraisal every year, when I did, I would normally
20 receive four – exceeds expectation.
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22 14. I declare under penalty of perjury under the laws of the United States that the
23 foregoing is true and correct.
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25 Executed on October 25, 2019, in San Francisco, California,
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