U.S. Department of Labor

Office of the Solicitor
90 7th Street, Suite 3-700
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VIA ELECTRONIC MAIL ONLY

Erin M. Connell
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Re: *OFCCP v. Oracle America, Inc.*, Case No. 2017-OFC-00006, Data Requests

Dear Erin,

OFCCP wants to ensure that we have adequate time to prepare our case for the December 2019 hearing date set by Judge Clark. In furtherance of that goal, OFCCP agreed that it would forego the requirement that Oracle supplement all data previously produced; accordingly, yesterday, we sent Oracle an index showing data files for which we are not seeking supplementation. In addition, we are writing this letter to follow up on requests for data OFCCP has previously requested, but have not yet been provided.

Educational Data and Experience of Oracle Employees in Compensation Class

OFCCP has repeatedly requested that Oracle produce data showing employees' educational background and experience, which are relevant to both the hiring and compensation claims. However, it does not appear that Oracle produced all relevant data. For example, Oracle produced data from iRecruitment in both folder I (relating to compensation), and folder II (relating to hiring). The iRecruitment data produced in folder II includes data regarding applicants' experience and education in the following tabs: APL_EMPLOYMENT_HISTORY, APL_QUALIFICATIONS, and APPLICANT_PROFILES. This data is also highly relevant for the compensation class, but Oracle did not produce it. While OFCCP does not need this data for all applicants, we request, at a minimum, that this data be produced for all persons hired by Oracle in the three job functions at issue in the compensation case.

Oracle produced very limited data for the college hires from January 1, 2013 through May 2015 from "Workflow," in ORACLE_HQCA_0000062859. OFCCP is not requesting that this file be supplemented up to the present, since we understand that hiring information for college students after May 2015 will be found in iRecruitment and/or Taleo. However, we request that all educational information available in Workflow be provided for the persons already included in this file (school, major, and degree).

OFCCP reiterates its request for educational data for both the compensation class and the hiring class.

Visa Data

Since October 11, 2017, I objected to the limited visa information Oracle produced, which was even more limited than the visa data produced during the compliance review. I again requested that Oracle produce visa information while the case was stayed, and again last month after the stay in the case was lifted. Further, OFCCP served RFPs which request visa information. We request that Oracle produce the following information for both the PT1 job group and Product Development, Support, and Info Tech Job Functions:

OFCCP requests data on all types of U.S. visas or extensions thereto (*e.g.*, E-3, F-1, F-1 with OPT EXTENSION, F-1 with STEM OPT EXTENSION, H-1B, H-4, J-1, L-1, L-1A, L-1B, L-2, O-1, TN, CAP-GAP EXTENSIONS) obtained by both Oracle employees and sought on behalf of applicants for PT1 positions. Specifically, OFCCP requests visa data for Oracle employees in the PRODEV, INFTECH, and/or SUPP job functions at HQCA (for the entire time period for which compensation information is provided for such individuals) and, at a minimum, persons hired for positions in the PT1 job group at HQCA from January 1, 2013 to the present; for these individuals, data showing all visas applied for or held at any time, including the type(s) of visa(s) held and the time that they were held, and country of origin for these applicants and employees. All keys (such as PARTY_ID or PERSON_ID) should be included so the data can be linked to other data sets. Further, demographic information should be included in the data file.

Compa-ratios

We previously requested historical compensation data for Oracle employees that transferred from Oracle affiliates outside of the United States, since Oracle only included employee data for employees while they were employed in the United States. You admitted that your scripts were not written to include compensation data regarding Oracle employees who were international transfers from Oracle India and other Oracle subsidiaries. We understand that Oracle has access to this information and it would have been reviewed by managers setting pay when the employee transferred to the U.S. Therefore, it is highly relevant. At a minimum, we request each employee's last compa-ratio at an Oracle affiliate before transfer to the Support, Product Development, and Info Tech Job Functions at HQCA. For the iRec data, for example, that would include employees listed in the HQCA_iRec_MAIN.xlsx file having a HIRE_TYPE of International Transfer in Column AR, or employees for which a salary in a denomination other than US dollars is listed in the CANDIDATE_CURRENT_SALARY_ATV (Column BC).

Historical Data

My understanding is that for employees in the three job functions in the compensation class, Oracle produced their pay history going back to 1985. In order to fully analyze this data, including the impact of starting pay, OFCCP requests compensation data for all employees who received compensation during that same period, even if they left HQCA before 2013. This is the

reason we requested data for all employees at HQCA in Product Development, Support, and Information Tech extending back to 1985.

We look forward to talking to you further about these issues.

Sincerely,

Laura C. Bremer