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Declaration
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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN MATEO

RONG JEWETT, SOPHY WANG, XIAN MURRAY, ELIZABETH SUE PETERSEN, MARILYN CLARK AND MANJARI KANT, individually and on behalf of all others similarly situated, Plaintiffs, v. ORACLE CORPORATION, INC. Defendant.	Case No. 17CIV02669 **DECLARATION OF SHAUNA HOLMAN-HARRIES** Assigned for all purposes to the Honorable V. Raymond Swope Department 23 Trial Date: Not Set Date Action Filed: June 16, 2017 Hearing Date: May 31, 2019

Exhibit No. 17
Witness name:
S. Holman-Harries
Date: 05/08/19
Robin L. B. Osterode CSR RPR

I, Shauna Holman-Harries, declare as follows:

1. I am the Senior Director of Diversity Compliance for Oracle America, Inc. ("Oracle"). I have held this position since October 2011. I have personal knowledge of the facts in this declaration, except where such facts are stated to be based on information and belief, and those facts I believe to be true.

2. As Senior Director of Diversity Compliance, my responsibilities include overseeing Oracle's Office of Federal Contract Compliance Programs ("OFCCP") compliance efforts, as well as overseeing Oracle's OFCCP audits. As the Director of Diversity Compliance, I am not, however, responsible for developing or implementing compensation practices at Oracle, nor am I involved in compensation decisions for job positions in Product Development, Information Technology, or Support.

3. On or about August 12, 2013, I was asked by Oracle's in-house counsel to perform certain analyses of compensation to enable Oracle's attorneys to provide legal advice. The following day, I spoke with Oracle's outside counsel, who provided further guidance regarding specific data points to utilize for the generation of these pay analyses. After receiving these instructions from counsel, my team and I began generating the pay analyses. All pay analyses I have overseen have been performed at the instruction of either in-house or outside counsel, which I understood was for the purpose of providing legal advice and in anticipation of litigation. These pay analyses were kept confidential by and among Oracle's compliance team, and we shared them only with Oracle's counsel.

4. On December 30, 2014, Jennifer Yeh, a Compliance Officer from the OFCCP, contacted me regarding interviewing an Oracle employee in charge of compensation and personnel activities. Ms. Yeh's request was in connection with a compliance review OFCCP was conducting of Oracle's work location in Pleasanton, California. In response, I informed Ms. Yeh that Lisa Gordon, who at that time was Oracle's Director of Compensation, was available to be interviewed. Subsequently, on January 9 and January 13, 2015, representatives of the OFCCP interviewed Ms. Gordon via teleconference. I recall attending this meeting via teleconference. I did not take any notes during this meeting. After the meeting, the OFCCP representatives sent an interview

summary for Ms. Gordon's review and signature. I did not personally review this summary for accuracy, but understand that it was sent to Ms. Gordon and she signed the interview summary on or around February 11, 2015. Attached hereto as **Exhibit A** is a true and correct copy of the OFCCP's interview summary.

5. I do not have any independent recollection of the statements made by Ms. Gordon during the OFCCP interview, and thus cannot verify the accuracy of OFCCP's interview summary or whether that summary correctly and fairly reflect the information that Ms. Gordon relayed or the statements she made.

6. Although I cannot confirm the accuracy of the statements attributed to Ms. Gordon in OFCCP's interview summary, I recall that on several occasions during the interview, I provided responses to certain questions posed to Ms. Gordon. After reviewing the OFCCP's interview summary, I can confirm that, to the best of my knowledge and recollection, the comments attributed to me in the notes reflect a fairly accurate paraphrase of the statements I made to the OFCCP representatives, but I do not believe they quote my statements verbatim.

7. On or about April 27, 2015, I received a letter from Hea Jung Atkins, the OFCCP District Director for the San Francisco Bay Area. Attached hereto as **Exhibit B** is a true and correct copy of Ms. Atkins' letter addressed to me, dated April 27, 2015. On June 2, 2015, I responded to Ms. Atkins' letter via email. Attached hereto as **Exhibit C** is a true and correct copy of the email correspondence I sent to Ms. Atkins, dated June 2, 2015.

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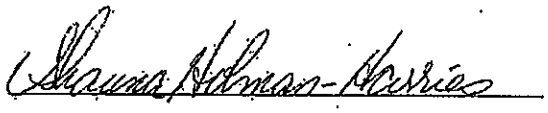
I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed in Gilbert, Arizona on October 2, 2018.



SHAUNA HOLMAN-HARRIES

EXHIBIT A

ORACLE (PLEASANTON, CA) COMPENSATION QUESTIONS

DATE: 1/9/15, 9:00 a.m. Hawaii Time; continued on 1/13/15, 9 a.m. Hawaii Time

Oracle Participants:

Lisa Gordon, Director Compensation

Neil Bourque, Sr. Compliance Analyst

Lida Daniel, Sr. Compliance Analyst

Shauna Holman-Harries, Director Diversity Compliance

Deposition Exhibit 18
Deponent: A. Dodson
Date: July 17, 2018
Reporter: Jane Grossman, CSR No. 5225

OFCCP Participants:

Brian Mikel, Area Office Director

Jennifer Yeh, Compliance Officer

NAME OF PRIMARY INTERVIEWEE: Lisa Gordon(has been on alot of calls with OFCCP and is the go-to person)

GENDER/RACE: Female/Caucasian

JOB TITLE: Compensation Director

DEPARTMENT: Human Resources

DATE OF HIRE: 2/2010

Years in Current Job: Recently promoted to this title. I served in the same function for 3 years.

Location: I work out of the Broomfield, CO campus of Oracle.

Reports to: Sr. Director of Compensation and Workforce Intelligence, Phil Jenish.

1. Please describe your current role and responsibilities? Also explain your previous positions at Oracle and prior relative experience/education? What locations do you have responsibility over?

Exhibit 9

I came to Oracle through Oracle's Sun Microsystem acquisition. I was an individual contributor for 1 year when I first came over. I went to being a manager and now I am the Compensation Director. I've been in compensation exclusively for 15 years.

In my role, I wear 2 hats: a client-facing hat for product development organization. From a corporate organization standpoint: I manage 2 compensation programs: corporate bonus program and non-sales salary increase program. Merit increases for non-sales folks, I take care of anyone other than those in sales and pre-sales jobs.

2. Who is on your compensation team that might also report to Phil Jenish?

I have 2 folks that report to me.(?) I have a counterpart that handles compensation for sales and consulting. She manages the stock program and sales salary increase program. She has 2 folks that report to her(?) Her name is Kate Waggoner and she reports to Phil just like I do.

3. What role do you have in making compensation decisions at Oracle?

I support HR managers so generally line managers are responsible for most compensation decision but if they have questions, they go to HR managers and the HR managers will come to the compensation team if they have questions. I help the HR managers who support the product development organizations. HR managers come to me, or occassionally line managers will come to me directly.

4. We have reviewed the policy documents submitted. Are personnel and compensation policies and practices uniform throughout all of Oracle's various facilities and locations?

Nothing has changed from the PowerPoint training presentation since 2011. We haven't updated the presentation so it is probably fine.

We have very general high level guidelines. Each organization has a lot of autonomy about how to interpret and implement the guidelines. Current market rates may be more important for one group over another group. There are areas where the general list of factors would be the same. What would differ in the different areas is what is happening with the situation and actual job or what is happening with that organization.

Shauna Holman-Harries: We pay by supervisor because supervisor denotes the business line that the employee works in. It's not that we base compensation on supervisor but the supervisor represents the business line. Business line is related to work unit flow. This is the explanation of how we pay.

Work unit flow - not necessarily the best. supervisor is probably the best way to look at the data. Sort by supervisor. There are small units. If there are indicators based on the supervisor code, then ask questions. supervisor code could be a first level supervisor, Director, or VP. The supervisor code is in the item 11 information. supervisor could be the EVP. It is who that person reports to.

5. Are there any written policies or guidelines that the company uses in making compensation decisions in addition to what has been provided to us which was the Oracle's Compensation Guidelines, Global Compensation Training, and the Compensation Review & Oversight? If so, please provide copies of the policies.

This looks like a complete list of Oracle's compensation guidelines and policies.

6. How long have these policies and guidelines been in place and who is responsible for their implementation?

I'm not aware of any major changes since I have been here.

7. Who is responsible for implementing the compensation guidelines at PLCA?

It wouldn't be just one person at the facility in Pleasanton. For example, Broomfield has 2000 folks. There are numerous organizations at the site. It isn't just one person. There are several HR folks.

In Pleasanton, employees are part of numerous lines of business. Leaders of lines of business are the ones who get the budgets and determine how to cascade those budgets down in the organization. As a direct manager, you would get a cascading instructions or guidelines from the management chain. Different budgets for different lines of business, different guidelines even from a first line manager sitting next to you. Budget is set by lines of business. Budgets start at a high level and gets cascaded

down. Budgets could look different based on their lines of business. Executive level determines budget differences for the various lines of businesses.

Neil Bourque is developing a database dictionary for the compensation database for the column headers and will submit that. Used to have links data through 4-5 different sources but decided not to use that anymore in the submissions to OFCCP.

Neil Bourque: Data is spread across many different reports.

Database Column Headers:

Salary Grades: Most jobs have a salary grade. Grade is determined by market pricing. We review salary survey data and look at what the market is paying. We primarily use the Radford Global Tech survey.

HRIS - we use an old Oracle HRIS system - internal system that has been around for years, not PeopleSoft. We call it HRIS or E-business suites. It's a very old system. Managers would be in charge of managing salary increases. HR folks review transactions. If doing things during programs, it is done through the compensation workbench, a module of HRIS system. Only line managers/HR can see the salary and grade information in HRIS. Grades are assigned to jobs by corporate comp.

Salary Ranges: Look at the job and see what the market price is and we assign a grade. There is a salary range for a grade. We annually review market data and ask, "Do we need to change our entire structure such as having all grades move up a certain percentage or are only certain job titles changing?" We can move the whole structure or just some job titles. Maybe need to change grade ranges for the job title.

For salary surveys, we look at our competitors: HP, IBM, Salesforce, Workday. There is a standard list that we compare ourselves to. They all participate in the Radford survey.

The Radford Survey has generic jobs and we go through a matching process for our jobs and find the best match between our jobs with the survey jobs. The survey gives various data points and we typically use the 50 percentile of the market for each job.

Salary: Stated annual salary that a person has. It is base salary. Neil will provide a column for total compensation.

Neil Bourque: Salary on database is pulled from several different sources. The salary doesn't add up from the columns that were presented on the spreadsheet. Had this same issue come up at a different audit. Neil is looking into it and will provide a total compensation column.

Work Unit Flow: Work Unit Flows are departments to help OFCCP identify different groups. I don't use those in anything I look at.

Shauna Holman-Harries: Acronyms are used to symbolize different departments.

Shauna Holman Harries will provide an acronym legend. But the work unit flow code is as follows: lowest level on the left and highest level on the right. It works from broadest to narrowest department from right to left.

Supervisor code: Symbolize a manager. It is something that corporate compensation used for compliance. We developed the codes to identify an individual supervisor. Supervisor codes are individual identifiers. There is an actual name of someone for each supervisor code. These codes were developed for OFCCP compliance evaluations and are not used by the corporate compensation team.

Direct managers are charged with reviewing their folks and working with HR to determine compensation by knowing their employees' knowing skill sets and their performance. That is the person in charge of making those decisions.

Department Codes: Department codes are specifically designed for Oracle's OFCCP compliance evaluations and are not used by the corporate compensation team. Generally four levels down from the top. If an individual works at a department that is 2 levels down, then it will go 2 levels down. For the department codes, Oracle goes down 4 levels and organizes it at the 4th level for the AAP.

Work unit flow - it goes down 4 levels. There are up to 7 levels represented in the workflow. 4 levels down is what IT could pull up.

Physical Location: No specific manager oversees all of Pleasanton, CA.

Shauna Holman-Harries: Physical location is Pleasanton, CA. All employees in this AAP work at the Pleasanton facility. No employees in the AAP are from a facility outside of Pleasanton. Everything is by physical location. All reports into that location- there is a field office affirmative action plan. We are all scattered throughout the world. A lot of employees work remotely. Head of HR is in Irvine. Where there are more than 40 employees for a facility, we have an AAP.

Eligibility for various types of pay from the spreadsheet depends on what the element is. Beeper pay depends on job and department- pager weekday and pager weekend. Not everyone is eligible.

Depends on what the element is and what the job is. Certain job titles are eligible. Very restricted to business need.

You can tell who the employees eligible for overtime are as their grades start with "N." "N" Used to stand for non-exempt. We refer internally to these grades as OT eligible.

Was the Pleasanton location acquired or was it always Oracle?

Pleasanton used to be PeopleSoft. Taleo, the company that did applicant tracking was across the street. Oracle purchased that and then merged the two.

8. How is starting salary determined?

Several factors come into play and varies based on position. Look at experience, what the job is. The skillset might be special. Look at the market price for that particular skill set. Depending on the job, weight of one factor over another may change in deciding starting salary. The direct hiring manager is the main person that is involved in determining new salary for new hires. May pull in an HR manager as well.

Are they going off of salary range?

Once they look at candidate and what career level makes sense, then we look at the salary range applicable for that. There is some flexibility. We post jobs for the level that we think the job requirements are. However, our system allows for the position to be filled one level up or one level down from the career level posted.

Can it be more than one level up or one level down?

My understanding is that you have to start from scratch (meaning new posting/recruitment) if wanted to go more than one level up or down.

Any other approvers?

Final approver would be up through the management chain, and finally the approver at the CEO office for a new hire. Every new hire salary request goes through the one approver at the CEO office, in total there are three folks who work in the group. . The salary offer goes through the hierarchy; numerous managers may see the transaction and are asked to weigh in. For new hire, it goes all the way to CEO's office for approval.

9. Is there a form that is used to determine starting base pay for a new hire or a promotion?

We have an automated system. It is an old ORACLE system. Not the same as the system mentioned before but also an Oracle system. They are asked to provide a justification for the starting salary. Part of that workflow allows for attachments. I see different things in different groups. It depends based on the group, some groups always put together a written justification with attachments on skills and experience; other groups may just have a small justification that is written on the system. There is no formal looking form. Usually it's just somebody in a word document justifying that they are proposing. This system manages employee transactions. As big as we are, something not automated would be pretty cumbersome.

10. Your training talks about "total reward." Can you please describe in more detail about the various components of "total reward"?

Total rewards include base pay. It may include variable pay based on your job. Sales and consulting jobs have sales incentives such as commissions and consulting bonuses. Some may be eligible for the corporate bonus, overtime, stock program, and other benefits such as medical health plans. The stock program is included in the total rewards and benefit programs.

Is it typical for new hires to get offered stock as starting compensation?

It is not typical for all new hires to get stock. We are pretty conservative for who we offer stock to. New college programs sometimes offer stock. At the VP level, stock options or stock are more typically offered.

For an IC2 software developer, it is not typical to offer stock as part of the package.

What is typical for bonuses/variable pay?

Depending on what job you're in and what variable plan you are eligible for. Sales folks will have what is typical for a sales incentive plan. Consulting has their own plan. Most everyone else is under corporate bonus, if you meet the eligibility requirements.

What are the eligibility requirements for the corporate bonus?

They are quite detailed, the requirements. I like to tell people, you can tell the complexity of the eligibility criteria based on the number of pages in the eligibility documents. Eligibility depends on the type of job you have. All jobs have a comp type and function. The function is an easy way for us to determine what type of variable plan you maybe eligible for.

Software developers/HR folks are eligible for corporate bonus. To be eligible, the employee needs to be a regular employee, certain country requirements, needs to have been with company for minimum of 60 days. There are two corporate bonus eligibility documents – one is a systems document and then another one is one that we post for managers. It would be better to send the Manager eligibility

document; it is easier to understand than the system one. Only document that I have a full one is a corporate bonus. For sales and consulting, I need to go to GIC group to request that. (Oracle to provide upon request.)

11. What are the factors used in determining starting base pay?

a. What role does negotiation have in the new hire base pay?

As you might expect, every situation is different - case by case basis. I don't know how often or the level at which negotiation happens.

Ever go above salary range?

There can be some examples of going over the range, not a strict policy that cannot go outside of our range. This happens in acquisitions. We do have people that come in through acquisitions that are out of our range, either below or above. Once in a while, someone could be brought in above the range. We look for special skills or for new people, we try to match what they made at the previous company.

b. Prior Salary?

Yes, this is a factor.

c. Time in position?

That is a factor but not as important as performance or results. As you go up in career, time in position, becomes less important. TIP becomes less and less important as you stay longer. Someone coming in right out of college at IC1 is at a steep learning curve, may become an IC2 more quickly but an IC4 or IC5 takes longer to move up.

Shauna – Time in position is not as important as experience. If someone could bring in more experience, then we can pay more. TIP only important as it relates to experience. May be someone highly skilled person from another company and in greater need and is then paid at a higher amount. Bulk of compensation is driven by performance.

d. Education?

Education is one of the factors. It is somewhat important. Yes, and more important at the entry level positions. Looking to see what kind of degree you have but less important as you maintain longer in company.

Shauna – In Pleasanton, many of the college hires may have masters. When looking for engineering and computer science, schools attended are really important. There are different programs at different schools. Specific teachers and instructional staff are proven to be better. We look at what products they were working on while in school.

The difference between applicants with a Bachelors degree versus a Masters degree may mean higher pay for the applicant with the Master's degree.

e. Shift Differential?

Yes, there are several different shifts. I don't have the numbers off the top of my head. Not available to all jobs, depends on working hours, depending on the shift that you're working, higher percentage for least desirable shift. The database shows 5-10-20 shift differentials and this refers to the percentage of salary increase for that shift.

f. Job Function?

We use a field called function. Used for a lot of reporting type things. Also helps determine eligibility for variable plans. Software development is under the function of the product development compensation jobs are under the HR function.

g. Job Family?

Job Family is similar to function. I think of family as the different levels of software developer. That is what I would consider a job family. Where in function, it would have applications and other job titles in product development 'function'.

h. Specialty?

Shauna – That is an older field that we don't really use.

Lisa - I look at a job code table. HR is a function, comp/benefits is a specialty. Some of them are old fields. May or may not help. For software developer, that is a specialty under product development function. There is a specialty but then nothing else to distinguish developers from each other.

Shauna – supervisor code is really the best way to analyze because there are numerous products. Once looking at the supervisor code, you can see the product line. Supervisor may have a larger group overall but may only have a couple at the particular location. Supervisor may have 15-20 people reporting to a supervisor worldwide but only a couple at the location. Employees are typically included in the AAP where they are physically located at. They are considered an applicant and hire at the physical location that they work at but the decision maker might be somewhere else.

At Oracle, all employees are in the AAP of the physical location but the manager is somewhere else. For those that are virtual workers, there is what's called a Field office plan.

For personnel activity, the hire is attached to the plan they are hired into. A job opening may say 'US job' and isn't attached to a location. For example, I hired Lida recently. It was posted as a US job, could be anywhere. I recruited mostly in Arizona, California and Texas because I figured it would be easier for training purposes to have her located at HQ, offices in Texas or near me in Arizona.

After being hired and during recruitment, new hire might go work in a physical office or work from home and are added to the appropriate AAP.

i. Pay Surveys?

Use salary surveys to establish salary ranges. We look at salary ranges once a year and decide whether they need to be adjusted. Managers have the ranges, but don't see the survey data.

Guidelines for managers about using the salary ranges?

Managers are given a lot of discretion - depending on the job they are hiring for, unique skill or lots of experience, may be higher in the range. If managers have questions, they can go to HR manager for guidance. There are 2 sets of salary ranges for the US: HQ, are Zip codes around bay area and non-HQ, is everyone else.

HQ is 10% higher. Pleasanton is part of HQ range. This is based on market data for salaries in those areas.

And in Acquisitions, you described before that sometimes acquisitions lead to employees being outside of the range?

Yes, they may come in below or outside the range. Every acquisition has its own challenge. Look at job at old company; hopefully have a comp/salary infrastructure. Do some mapping to try and determine what we think each job is in our world. HR and managers work together to find the right job and to determine the right level. Typically, salaries are not adjusted during an acquisition and that would mean you could fall outside of our range, above or below it.

j. Department;

I don't usually use department by itself when considering compensation. I would use hierarchy, similar to Shauna's point on supervisor. I would look at function or supervisor. Department is not something that I would hone in on.

Shauna – department in the database represents four levels down from the top of the organization.

Lisa-Supervisor would be part of a department. They could be around 5-6 levels down in an organization or lower and depending on location, this is all below the broader department. Many people in same department could be reporting to different supervisors and working on different projects.

k. Business Unit/Line of Business;

Could be numerous ones- Product Development, Sales, Consulting, Finance could say sales is a line of business but these are really broad groupings. Product development is another. These are very broad lines of business.

Supervisor is direct manager to employee. The various supervisors situated in Pleasanton could represent all of our different lines of business.

The way we are organized is not by location. When I started years ago, at Broomfield, but this was under Sun, not Oracle, that was supposed to be a Service HQ location. Those days are gone and there are people from all different lines of business, there is no hierarchical commonality to the folks that are

there. A supervisor is in one line of business, mine is HR. A supervisor right down the hall from me reports up in product development.

l. Organizational Unit;

Shauna-We don't really have an organizational chart. Supervisor code is really the way to look at it. If you look at everything for supervisor code - we don't pay according to job group or job title because it is broad and different products require different skills. Different people working at same job titles, have/with different skills.

How many Products does Oracle have?

Numerous, - can't even say how many. You may see in the news but as a business we buy companies and often acquire other companies.

m. Stock programs? Is this an ESOP?

ESOP program is different than what I was describing before. ESOP is an opportunity for any employee to have money withdrawn to buy stock.

For the stock program, each leader is given an annual budget of stock and they cascade this to their managers. Similar to a bonus but its stock.

Annual budgets are given to leaders at a very high levels (i.e. Safra Catz, Mark Hurd, Edward Screven) EVP's and Presidents are the 'leaders'. This is where the budgets are going to go. Regularly changing who is in the leadership and the titles but its EVPs and Presidents. This is a lot simpler eligibility than the corporate bonus. This is typically country related. Some at very lowest levels may not be eligible. (OFCCP will be requesting this stock eligibility one-pager)

12. Who is eligible or ineligible for bonus programs? Which bonus programs?

Instructor bonus is one

Spot bonus – everyone is eligible but this is loosely applied. (?) *Is this a true statement not sure*

Signing bonuses – are offered. It depends on the job and the situation. The frequency of signing bonuses changed based on market need. Over career, signing bonuses have fluctuated. Recently, likely increasing the amount of signing bonuses. Sr. Directors for software development may be offered a sign on bonus. Signing bonus might be used to cover something that they may be walking away from at their current company.

Any other types of compensation paid?

There is also an incentive plan for sales/comp or consulting.

13. Do you have an employee handbook? If so, please provide a copy of the handbook.

Yes

14. Do you have written hiring policies? If so, please provide copies of the hiring policies.

I have limited day to day involvement of process for hiring and you should talk to recruiting.

15. Do you have written position descriptions? If so, please provide copies of all position descriptions at the headquarters and the Pleasanton, CA facility.

Yes we have generic job descriptions. They do differ between career levels.

16. Does Oracle conduct self-audits of its compensation? If so, please provide written reports regarding the self-audits.

Shauna: Compliance does under attorney-client privilege.

17. Does Oracle conduct pay equity studies? If so, please provide copies of the pay equity studies.

Shauna – compliance does equity studies. During the Focal review all positions are looked at when determining salary adjustments.

Lisa- we don't do equity studies regularly but may do ad hoc analyses. Focal review is done periodically, when we get a budget to give merit increases. Want to do it annually, but it depends on market conditions. When we do get a budget, there is lots of review of lots of employees by managers and HR.

18. Prioritize the factors given for base pay.

All are important, depends on job too. We've talked about skills, education, experience, and market rates. Depends on the situation; which would have a higher weighing for that job and selection. Current or previous salary is a big factor too. Long laundry list of what we look at and it depends on the situation.

19. Are merit increases tied to performance ratings?

Some companies have defined structure and strict guidelines based on rating number and % increase. Oracle does not have that type of structure. Not all groups are required to have performance rating. There is no formal structure. Supervisor does not have to conduct performance reviews or give a rating number. May have salary increases without performance review on the books. Or sometimes a rating using a 1-5 type scale may be used.

We did not have a coproate wide merit budget in 2013. There is no formal performance review. Depending on the organization, employees might not have a performance review but just a rating.

Focal review – budget is given to managers in the tool and the budget is cascaded down and then approved back up the hierarchy.

Oracle is divided into two merit review programs: Sales and non-sales. Both programs are global.

Focal review is not annual and not at the same time, it varies. It's been in July and September or this last one in 2014 was in November.

The ones before that were in 2012, 2011 and 2010. Prior to 2010, due to the recession, it had been several years since a focal review was conducted and merit increases were given.

Outside of the focal review, what types of merit increases can be given?

Off-cycle reviews are the only other increase.

Base salary increase would only happen at focal or off-cycle increase.

Eligibility criteria for merit increases -Have to be here for 60 days. Then there are: the Sales program vs. non-sales program. A few countries are not eligible too.

OT eligible employees are not eligible for corporate bonus but eligible for a focal increase.

20. Is there a formula for determining merit increases?

No real formula for determining merit increases. It is based on how much budget did we get and what is best for our organization on how to spend it. There is not a corporate merit matrix because every group may have a different budget. Always based on budget and each manager can make the decisions based on the budget. No corporate merit matrix saying what a manager needs to do. Budgets aren't big so it's hard to go crazy with it. To manage this, we use the same tool that we use for bonuses.

Each manager will make recommendations in the tool, looks like spreadsheet and tells you if you are within budget and then it rolls up the approval hierarchy. Same approvers for bonus and merit increase as would be for starting salary, goes up management chain within that line of business.

Shauna – supervisors do not have to do formal performance reviews. Varies.

21. What documentation is used for these merit increases?

Same tool as for bonus that you as a manager – show whoever is eligible. Make recommendation. Show if you overspent or within budget and submit.

22. Do employees have to apply to be promoted?

No. We don't post every promotion. If it is a new job, we will post those.

Shauna – some are posted as a competitive promotion others are promoted based on job evolving and increased responsibilities, called in-job or non-competitive promotions at some of the different facilities.

What are examples of when someone would be promoted without a salary increase?

We look at the circumstances of a promotion, andwhat the current salary is. Someone that changes from a sales job ..iff they are moving into a job that doesn't have those elements, we may or may not adjust pay. Case by case on where you're coming from and where are you going. There isn't a set formula. There are a lot of these and we spend a lot of time on these.

Example, software developer manager - maybe came in through a different job or through an acquisition and is high salary in the range. Then promoted to a sr. manager but the employee's salary is still appropriate in sr. manager range. In that circumstance the employee may not get an increase.

But if they do a good job, they are then eligible for higher bonuses and higher salary increases because of the new salary range. They also have the new title and opportunities which are important.

Is Annual target variable only for sales?

ATV is only for sales and consulting.

23. With pay differences between individuals, how do you determine the difference in pay based on experience, knowledge, skills, and performance? Is there a numerical value you place on these elements?

No formula, depends on the job. Years of experience can be important. But if we are looking for a very particular skill, we might be honing in on an element of someone's resume. Specific need in an organization and go out looking for a specific skill. High tech moves so quickly, may have someone with 5 years of experience but not the right skill.

24. For H1B employees, are there internal equity considerations used in determining compensation?

I don't know if we have them at Pleasanton.

H1B folks, depending on the job, determines what they are eligible for. Based on the job these employees are eligible for all the same bonuses and have same salary ranges.

I don't even think that there is a flag for these folks in the system. For starting salaries, they are given same salary ranges and placed in a job based on experience and other factors.

25. How is salary determined when someone is promoted? What factors are considered?

Depends on what the job is. What they are being promoted to. No defined formula. Everyone is going to be looked at differently.

26. Is there anything else that we need to know to understand your compensation system?

I can't think of it. I'm sure you'll have more questions.

Training

27. Have you received training on Oracle's AAP and EEO policies?

Yes, I know I've taken some courses- numerous EEO trainings online.

Shauna-AA training and separate EEO training-online training. Periodically, need to take a refresher.

Lida – As a new hire I have taken several recently. There are some for new hires that have to be done within 30 days and some are repeated annually/every two years.

28. Is EEO/Diversity an evaluation factor for officers?

Shauna - We pay bonuses to recruiters for diversity hires. We have goals by location and recruiters get paid bonuses for diversity hires for those goals, which now include VETS/Disabled.

29. Has the company ever adjusted any employee's compensation based on its compensation analysis for its AAP?

I'm not aware of any specific action.

Shauna – more of a focal. When broken down by supervisor codes, it is tightly buttoned up. When you really take a look at it, look at supervisors and products it's just a different way to do business to stay competitive.

How many employees are covered under your comp plans as Director?

Cover non-sales. Roughtly half of the Company - Product development and F & A– 60,000 employees. About 48,000 in US. About 60,000 out of 130,000Oracle employees.

Most recent hire date- last time they came on to Oracle's payroll.

Original Hire Date:

Dates of Hire- Oracle Hire Date, Original Hire Date

Length of time in position- at Oracle

For acquisitions, I have a continuous service date, keep vacation but if I left the vacation would be gone.

If they leave, they come back, then they don't get to keep the benefits. If they leave and come back for a higher salary, we are very careful. What were they being paid and what they got when they left.

Are there many transfers?

Depends on the group, with product development it is much less. I probably, at least once a week, speak to HR manager about transfer and looking for an opinion. In sales side, there is lots of movement. They just keep the same wage, same title and just decide they want to move to a new location. It depends on the situation- even from HQ to non-HQ location.

Ranges are tied to physical location.

I would be put into an HQ range if I moved but my boss would not automatically give a salary increase or decrease.

The above is true to the best of my knowledge and recollection.

Lisa Gordon 2/11/15

Lisa Gordon, Director Compensation Date

Compliance Officer

Date

EXHIBIT B

U.S. Department of Labor

Office of Federal Contract Compliance Programs
Greater San Francisco/Bay District Office
90 7th Street, Suite 11-100
San Francisco, California 94103

VIA EMAIL

April 27, 2015

Shauna Holman-Harries
Director Diversity Compliance
Oracle America, Inc.

Dear Ms. Holman-Harries:

Thank you for your cooperation and assistance during our March 24 – 27 onsite. It is our desire to complete this compliance evaluation in an efficient and effective manner. In order to complete the on-site phase of the compliance evaluation, we will need to conduct a follow-up onsite to interview select first level managers, college recruiter(s), and Oracle's in house counsel Juana Schurman in her capacity as Vice President and Associate General Counsel. We would also like to conduct a brief follow-up interview with Lisa Gordon. Please advise whether you have availability for approximately three to four days from May 4 to May 7 for a follow-up onsite. If the week of May 4 does not work, please let me know if the week of May 18 or May 26 are feasible. A list of the interviewee names will be sent shortly.

In addition, please provide the following information, some of which have already been requested, by May 8, 2015:

1. A screenshot of a software developer employee's page on each of Oracle's internal websites: (1) Compensation Workbench (CWB) and (2) Information Workbench (IWB). From the CWB, please also provide a screenshot of the page used by a manager when making a starting salary recommendation for a new hire and a wage increase recommendation for an Oracle employee. (originally requested on February 10, 2015)

2. Employee personnel actions containing job and salary information and history for all employees and student interns. This information should include, but not be limited to, starting wages, wage increases, bonus awards, job title hired into, starting stock level, job title and supervisor changes, stock level changes, promotion history, performance evaluations, ranking information, etc. with dates associated for each action. (the salary history was originally requested February 10, 2015)

3. Dates of any internal pay equity analysis conducted during the past three years, as required under 60-2.17. For each analysis, include:

Deposition Exhibit 60
Deponent: K. Waggoner
Date: July 27, 2018
Reporter: Jane Grossman, CSR No. 5225

Exhibit 8

- Dataset used for that analysis
- Actions taken, if any, as a result of the analysis

4. HQCA March 2015 submission of number of protected Veterans included only 19 individuals. VETS 100-A report stated a total of 137 veterans. Please provide a detailed explanation of this discrepancy.

5. Please provide a detailed explanation of why the total workforce in the AAP only had 7,421 employees but the 2014 EEO-1 report showed 16,015 employees.

6. For all employees who were hired during the review period 01/01/2013 – 06/30/2014, include the following in separate columns:
   - Visa status (yes/no)
   - If they are on visa status, include the specific visa (not limited to H1B) they were holding

7. Please resubmit the compensation database (snapshot as of 01/01/2014) to include each of the following, some of which have already been requested, in separate columns:
   - Starting wages/salary
   - School attended
   - Educational degree
   - Prior salary immediately before joining Oracle
   - Performance evaluation rating
   - Rank (by performance)
   - Hire date/Acquisition date
   - Hourly wages
   - Number of hours worked
   - Years of experience before joining Oracle
   - Stock level
   - Hiring manager(s)
   - Amount of signing bonus
   - Visa status
   - Type of visa, including but not limited to H1B
   - The date (mm/dd/yyyy) that the visa was initially processed
   - Current status of visa
   - The date (mm/dd/yyyy) that green card/permanent resident card was processed

8. Please resubmit the Resume Files that were sent on Thursday, March 26, 2015, in an easy to read format. The picture-format resumes pasted on MS Word could not be easily read.

9. For all applicants and total hires in the following job titles from January 1, 2013 to June 30, 2014, please provide the following:
   - Copies of each requisition, including copies of each job posting and each job description

- Copies of all applications, resumes and any and all supplemental information submitted by each applicant
- Name and job title of the hiring manager(s) for each requisition
- Date of hire for each requisition
- Name and job title of individual hired for each requisition

Job Titles:
Software Developer 1 (77 applicants; 11 hires)
Software Developer 2 (1328 applicants; 167 hires)
Software Developer 3 (799 applicants; 87 hires)
Software Developer 4 (874 applicants; 104 hires)
Software Developer 5 (367 applicants; 56 hires)
Student Interns (or Job Group C1) (1022 applications; 85 hires)

10) For all promotions in the following job titles from January 1, 2013 to June 30, 2014, please provide the following:

- Copies of relevant documentation related to the promotion, including but not limited to, job posting, job description and any and all information submitted by each applicant for promotion
- For each promotion, name, race, gender, date of promotion, job title promoted from, job title promoted into, type of promotion (competitive or non-competitive), change in salary, change in stock level
- Description of Oracle's promotion process

Job Titles:
Telesales Business Development Manager
Telesales/Internet Sales Manager
Marketing Comm/PR Specialist 4

11) Supporting documentation of employee terminations for the following job titles from January 1, 2013 to June 30, 2014:

- Software Developer – Architect (63 total; 3 terminations)
- Senior Internet Sales Consultant (47 total; 4 terminations)
- Associate Internet Sales Representative (56 total; 7 terminations)
- Principal Sales Consultant (35 total; 5 terminations)
- Internet Sales Representative II (155 total; 3 terminations)

Finally, please confirm that Oracle has provided complete and accurate information for all of its data submissions to the OFCCP to date, including all relevant compensation information and factors affecting pay as submitted by Oracle. In order to facilitate the most efficient and effective review, we request that Oracle affirmatively state in a written response that all information submitted to date is complete and accurate.

For the follow-up onsite, we request that you provide 2 interview rooms so that we may conduct 2 simultaneous interviews while onsite. We anticipate that each interview may take up to 2 hours. We will work together over the coming days to develop an interview schedule.

Additional data and/or information may be identified and requested prior to and during the on-site evaluation. If you have any questions, please contact me at (415) 625-7829.

Sincerely,

Hea Jung Atkins
District Director

EXHIBIT C

From: Shauna Holman Harries
To: Atkins, Hea Jung K – OFCCP
Cc: Lugo, Joan – OFCCP; Neil Bourque; Charles Nyakundi; Bill Couch; Lisa Daniel; Vickie Thrasher
Subject: April 27 RFI Item 3
Date: Tuesday, June 02, 2015 10:27:47 AM

Hello Hea Jung. I am sending this email in response to your request #3 in your April 27 letter regarding internal pay equity analysis during. To answer your question, I refer you to the lengthy interview conducted with Lisa Gordon by Brian Mikel over two days on January 9 and 13, 2015. Mr. Mikel was also provided with an explanation of pay and the pay review process on January 9. In sum, pay equity at Oracle, and ensuring fairness and consistency among or between cohorts, is an going process, and an integral part of Oracle's evaluation of its compensation systems.

During her interview with Mr. Mikel, Ms Gordon was asked extensively what Oracle has in place to assess employee pay and to ensure fairness and consistency relative to its jobs and the legitimate, non-discriminatory factors used by Oracle. In sum, she noted the role of HR or Compensation, and/or a manager, in reviewing where a new hire's pay falls relative to incumbent cohorts. She also referred to the Company's compensation policies and training materials we previously provided to OFCCP. She also identified the process of focal reviews as another tool to assess relative pay. She also identified the role played by Carolyn Balkenol and her team in essentially providing a further point of process quality control.

As you will also recall, Ms Balkenol was interviewed during the on-site. Although the OFCCP never provided any notes of her interview, which took place Thursday, March 26, Neil Bourque was present. As Ms Balkenol explained during this interview, she does not conduct any substantive review of pay decisions. Rather she does "quality control" of the hiring paperwork and process. She also was asked whether, at her level, the conversation is on raising or lowering salary. She said "no" and that in any such instance she would send it to "Compensation."

With regard to pay audits to assess legal compliance with Oracle's non-discrimination obligations and to further ensure Oracle's compensation policies and practices are carried out, those are conducted by our outside EEO compliance counsel at Orrick.

Deposition Exhibit 61
Deponent: Wagoner
Date: 7-29-18
Reporter: Jane Grossman, CSR No. 5225

Best Regards,
Shauna Holman-Harries

ORACLE
Shauna Holman-Harries - Director Diversity Compliance
Phone: +1 602 333 9112 | Fax: +1 602 333 9112 | Mobile: +1 480 689 1858

Working to create an inclusive, diverse culture that drives innovation and business success.
The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorized. If you are not the intended recipient,

Exhibit 7

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Oracle is committed to developing practices and products that help protect the environment