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UNITED STATES DEPARTMENT OF LABOR  
OFFICE OF ADMINISTRATIVE LAW JUDGES

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OFFICE OF FEDERAL CONTRACT	)	OALJ Case No.
COMPLIANCE PROGRAMS, UNITED	)	2017-OFC-00006
STATES DEPARTMENT OF LABOR,	)	
	)	OFCCP No. R00192699
Plaintiff,	)	
	)	
vs.	)	
	)	
ORACLE AMERICA, INC.,	)	
	)	
Defendant.	)	

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VIDEOTAPED DEPOSITION OF  
JANICE FANNING MADDEN, Ph.D.  
Thursday, October 10, 2019, 8:28 a.m.  
Dilworth Paxson LLP  
1500 Market Street, E3500  
Philadelphia, Pennsylvania

Reported By:  
Marjorie Peters, RMR, CRR  
Job No. 10061318

1 A. It actually puts the components of that 09:06:52  
2 job code together in separately, but the components 09:06:54  
3 are there. So it's effectively the job code. 09:06:57

4 Q. Am I right that part of the basis for 09:07:01  
5 that statement is that you've included what you call 09:07:10  
6 job descriptor? 09:07:11

7 A. Yes. 09:07:12

8 Q. Is job descriptor a variable that exists 09:07:13  
9 at Oracle or is it a variable that you created? 09:07:16

10 A. It's a variable that I created from job 09:07:18  
11 titles. 09:07:20

12 Q. Why create that variable as opposed to 09:07:21  
13 use job titles? 09:07:27

14 A. When we get to the eighth column, I'm 09:07:28  
15 perfectly happy to use the job title, but I wanted 09:07:31  
16 to show -- I mean, I was making an illustration of 09:07:34  
17 how group differences change with different 09:07:37  
18 variables, and I wanted to separate the sort of 09:07:40  
19 categorization of description of the job from the 09:07:43  
20 classification or grade of the job. So that's why I 09:07:47  
21 did it in that fashion. 09:07:48

22 Q. And as part of that process, you created 09:07:50  
23 a variable job descriptor by which you grouped 09:07:52  
24 together jobs in a way that Oracle does not 09:07:57  
25 necessarily group together those same jobs? 09:07:59

1 MS. FLORES: Objection. Misstates 09:08:01  
2 testimony. And vague. 09:08:02

3 A. I group them -- I aggregated them, yes. 09:08:03

4 Q. And -- 09:08:08

5 A. I didn't separate any groups, but I 09:08:09  
6 aggregated some jobs, because the job code has the 09:08:11  
7 grade level in them, and the management level in 09:08:15  
8 them, and then I took that out to do the job 09:08:17  
9 descriptor. 09:08:19

10 Q. Okay. But just so that I'm clear, in 09:08:20  
11 creating that job descriptor, you were creating a 09:08:23  
12 variable based on your decisions about how to group 09:08:26  
13 the data rather than tracking a grouping that Oracle 09:08:27  
14 used? 09:08:31

15 MS. FLORES: Objection. Misstates 09:08:31  
16 testimony. And vague. 09:08:33

17 A. I grouped some of Oracle's groups. 09:08:34

18 Q. Have you reviewed any sworn testimony 09:08:38  
19 either in the form of a deposition or a declaration 09:08:51  
20 about -- from anyone at Oracle -- about how job 09:08:54  
21 codes function at Oracle? 09:08:58

22 MS. FLORES: Objection. Vague. 09:09:00

23 A. I believe the Waggoner deposition from 09:09:01  
24 the earlier case does that. And I read some of that 09:09:04  
25 deposition. 09:09:08

1 categories. 01:01:50

2 Q. When you say putting jobs appropriately 01:01:50

3 into these categories, you assumed that Oracle's job 01:02:05

4 families operated to compare people who performed 01:02:10

5 similar work? 01:02:16

6 MS. FLORES: Objection. Vague as to 01:02:17

7 job families, similar work, and overall. And also 01:02:19

8 compound. 01:02:23

9 A. I presume that when Oracle described 01:02:25

10 these people as substantively with words that were 01:02:34

11 the same, that they were substantively in the same 01:02:39

12 area. I don't know what you mean by "similar work" 01:02:42

13 and I never used that in that exact way, I don't 01:02:45

14 think. 01:02:47

15 Remember, I'm primarily using this 01:02:52

16 by itself to look at people who are likely have 01:02:54

17 similar majors and similar types of experiences. So 01:02:57

18 that's what the categorization is for. 01:03:00

19 Q. Okay. So what, if anything, did you do 01:03:02

20 to study how job descriptor relates to educational 01:03:05

21 background? 01:03:08

22 A. I did this analysis of the effects of 01:03:09

23 major versus job descriptor on pay. And actually 01:03:15

24 found that they're pretty close. 01:03:21

25 MS. MANTOAN: So I'll just put on 01:03:27

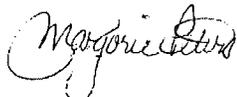
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CERTIFICATE OF COURT REPORTER

I, Marjorie Peters, Registered Merit Reporter, Certified Realtime Reporter, and Notary Public for the Commonwealth of Pennsylvania, before whom the foregoing deposition was taken, do hereby certify that the witness was placed under oath according to the law; that the foregoing transcript is a true and correct record of the testimony given; that said testimony was taken by me stenographically and thereafter reduced to typewriting under my direction and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

I further certify that signature was not waived by the witness.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 14th day of October, 2019.



Marjorie Peters, RMR, CRR  
My commission expires March 13, 2020.