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JANET M. HEROLD  
Regional Solicitor  
LAURA C. BREMER  
Acting Counsel for Civil Rights  
IAN H. ELIASOPH  
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United States Department of Labor  
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Facsimile: (202) 693-5319  
Email: Cockett.Kiesha.N@dol.gov

Attorneys for Plaintiff, Eugene Scalia, Secretary  
United States Department of Labor

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

<b>OFFICE OF FEDERAL CONTRACT</b>	)	Case No.: 2017-OFC-00006
<b>COMPLIANCE PROGRAMS, UNITED</b>	)	
<b>STATES DEPARTMENT OF LABOR</b>	)	<b>DECLARATION OF NICOLE</b>
	)	<b>ALEXANDER</b>
Plaintiff,	)	
V.	)	
	)	
<b>ORACLE AMERICA, INC.</b>	)	
	)	
Defendant.	)	
	)	
	)	
	)	

1 I, Nicole Alexander, 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 am an African-American woman who worked for Oracle America, Inc. at the  
5 New Hampshire and Redwood Shores facilities from approximately May 2000 to February  
6 2018. I have personal knowledge of the matters stated herein and, if necessary, I could and  
7 would testify to the facts stated below.

8  
9 3. Prior to coming to Oracle, I had obtained a Master's degree in Geographic and  
10 Geodetic Information Systems from the University of London, and I was within a year from  
11 obtaining my PhD in Geography from the University of California Santa Barbara. I worked  
12 in the technology industry for approximately 4 years before joining Oracle. In 2002, after I  
13 had already joined Oracle, I completed my PhD in Geography.

14 4. During the fall of 1999 I met Peter Fisher, one of Oracle's product managers,  
15 at an Oracle booth at a conference. I was excited about Oracle's technology and asked if  
16 there were any opportunities to work for Oracle. Peter suggested that I apply. I sent my  
17 resume to Peter without knowing of any specific job that was available. While living in  
18 California, I interviewed and was offered the position as a Senior Member of Technical Staff  
19 on the Oracle Spatial Development Team. Until I interviewed with Oracle, I was unaware  
20 that the job opportunity I was being considered for was located in New Hampshire.

21  
22 5. From approximately May 2000 to October 2005, I worked as a Senior  
23 Member of Technical Staff on the Oracle Spatial Development Team. As a Senior Member  
24 of Technical Staff, I was responsible for working with Oracle's partners to integrate their  
25 geospatial technology with Oracle's software. In 2003, I transitioned from working directly  
26 with Oracle's partners to working on software development, with Siva Ravada as my  
27

1 manager. In this role, I became the Lead Developer for the Resource Description Framework  
2 (RDF) storage object, a new data type in Oracle 10gR2.

3  
4 6. While I was working on software development, I saw a job announcement in  
5 Oracle's breakroom for a new H-1B visa hire of a software developer at the same New  
6 Hampshire location where I worked. The announcement listed a salary that was about  
7 \$5,000 more than my salary at that time.

8 7. In approximately September 2005, I became a Principal Member of Technical  
9 Staff on the Oracle Spatial Development Team. In 2006, Oracle applied for a patent for my  
10 work on the RDF data type. My manager Siva Ravada was the only other person listed on  
11 the patent. While my manager reviewed my work, I was the sole developer of the project. I  
12 received a patent application bonus of about \$1,000 and another bonus of about \$1,000 after  
13 the patent was granted in November 2015. From approximately 2006 until 2018, I was Lead  
14 Developer on the Oracle Geocoder, a different product within the Oracle Spatial  
15 Development Team.

16 8. In 2016, I relocated to the Redwood Shores (Headquarters) facility for  
17 personal reasons and I continued to report to Siva Ravada. Prior to relocating, my base  
18 salary in New Hampshire in 2015 was \$99,500. In anticipation of the relocation, my salary  
19 was increased to \$108,700.  
20

21 9. When I relocated to Redwood Shores in 2016, I had initiated the process to  
22 obtain a promotion to Consulting Member of Technical Staff. In October 2016, I discussed  
23 the promotion with Siva and I expressed to him that part of my motivation for seeking a  
24 promotion was to get a salary increase. It was during my discussions with Siva about the  
25 promotion that he told me getting a promotion would not necessarily guarantee a salary  
26 increase.  
27

1           10.     During this discussion, Siva told me that in order to get the promotion I would  
2 need to satisfy a list of requirements. Among these requirements was working on a project  
3 with someone from a different team, which he said I still needed to satisfy. Around  
4 November of 2016, I was told by a colleague that Siva had allowed another Oracle employee,  
5 a white male, to receive the same promotion without working on a project with someone  
6 from a different team. This person also did not have a patent at the time.

7  
8           11.     In December 2016, Oracle increased my salary to \$112,700, and I continued  
9 to work towards my promotion. By this time, I was in the final stages of satisfying Oracle's  
10 promotion requirements and was collecting recommendations from other colleagues and  
11 business partners that I had worked with since 2005.

12           12.     Around January or February 2017, I continued asking my manager if he had  
13 submitted my application for the promotion. He gave me the impression that he had  
14 submitted my application because he said that it was currently being reviewed.

15           13.     In April 2017, I read an article about the U.S. Department of Labor's lawsuit,  
16 which mentioned that Oracle routinely pays white male workers more than their female and  
17 non-white counterparts for comparable jobs. I started doing my own research and learned  
18 from the website Glassdoor that a Principal Member of Technical Staff at Oracle earned  
19 around \$135,000 to \$165,000. At that time my salary was significantly below the range for  
20 that position.

21  
22           14.     On April 10, 2017, I was concerned about my salary and I wrote an email to  
23 Barbara Williams in Human Resources (HR) requesting a salary review. I believed that my  
24 request for promotion was already under review, and I did not want my inquiry to Ms.  
25 Williams to negatively affect my chance of receiving the promotion. I therefore asked that  
26 HR conduct a discreet salary review regarding the reasonableness of my pay. Attached to  
27 this declaration as Exhibit A is a copy of my email to Ms. Williams. After I requested the

1 salary review from Ms. Williams, Nicole Lurie from HR emailed me about my request.  
2 Nicole and I exchanged several emails about my salary review. I forwarded this email  
3 exchange from my work email address to my personal email address. Attached to this  
4 declaration as Exhibit B is an excerpt of that exchange.

5  
6 15. During the salary review process, in a telephone conversation with Siva about  
7 my promotion he was very upset. He verbally reprimanded me for being too persistent in  
8 inquiring about the status of my promotion.

9 16. Until I submitted my salary review request to HR, I had never received  
10 negative feedback about my performance at Oracle. After my salary review request to HR  
11 about the reasonableness of my pay, my manager sent me an email listing a number of things  
12 that he claimed I was not doing well at work. Around the same time, he told me that I was  
13 not going to receive the promotion and that I needed to do an additional project in order to  
14 get it.

15 17. Three months after my salary review request, in July 2017, Nicole from HR  
16 sent me a letter stating that there was no evidence that I was being compensated  
17 inappropriately because of my race, gender, or any other factor. Nicole mentioned that they  
18 did find variations in pay, but claimed that it was due to legitimate business reasons such as  
19 performance levels, job scope and responsibilities, and overall contributions to the business.  
20 Attached to this declaration as Exhibit C is a copy of the letter.

21  
22 18. At the end of 2017, some of my team members in the Oracle Spatial and Graph  
23 Development Team (formerly named the Oracle Spatial Development Team) were moved  
24 out of our group into other teams at Oracle due to restructuring. I was not moved to another  
25 team and instead, Oracle laid me off on February 28, 2018. I was told that my position was  
26 no longer available.

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

Executed on October 8, 2019, in San Francisco, California,



Nicole Alexander

# EXHIBIT A

---

**From:** Barbara Hardy <barbara.williams@oracle.com>  
**To:** Nicole Alexander <nicole.alexander@oracle.com>  
**Sent:** 4/11/2017 7:30:57 PM  
**Subject:** RE: Low-Wages Concern

Hi Nicole,

Thanks for reaching out to me. It's a pleasure to virtually meet you.  
I recommend discussing your concern with your HRBP and to ask for advice on this matter.  
Let me know if you have any questions.

Cheers,  
Barb

---

**From:** nicole alexander  
**Sent:** Monday, April 10, 2017 9:35 AM  
**To:** Barbara Hardy  
**Subject:** Low-Wages Concern

Dear Ms Williams,

I am an Oracle employee of 17 years. Oracle hired me out of Mountain View, CA and relocated me to Nashua, NH in 2000. In April, 2016 I returned to CA and currently work in Bldg 400 at the Oracle Headquarters. At Oracle, I am a Principal Member of Technical Staff on the Oracle Spatial and Graph development team. My manager said that the application for my promotion to Consulting Member of Technical Staff is currently being reviewed.

According to Saturday's article by the Associated Press [1], Oracle is currently being sued by the Labor Department. The Labor Department claims that, Oracle "routinely pays white male workers more than their female and non-white counterparts for comparable jobs." In light of this now public disclosure, I would like my salary discretely reviewed. In my estimation, my salary is over \$50,000 less than what other Software Engineers with my level of experience are paid in the Bay Area.

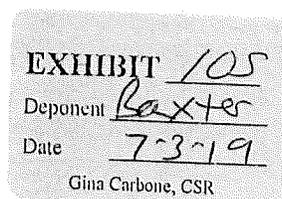
I have discussed my salary concern with my manager. However, because I am currently up for promotion, I am hesitant to launch any detailed investigation. Please advise me on how I should proceed with this matter.

Sincerely,

Nicole A.

REFERENCE:

[1] Feds Accuse Google of Underpaying Female Employees (April 08, 2017): <http://www.nbcnews.com/news/us-news/feds-accuse-google-underpaying-female-employees-n744131>



# EXHIBIT B

**To:** Nicole S <[nicole\\_s\\_alexander@yahoo.com](mailto:nicole_s_alexander@yahoo.com)>  
**Cc:** Nicole Shawn <[nicole.shawn.alexander@gmail.com](mailto:nicole.shawn.alexander@gmail.com)>  
**Sent:** Tuesday, February 27, 2018, 04:53:12 PM EST  
**Subject:** Fwd: Oracle HR

Dear Nicole:

Thanks for your below message. While I understand you don't feel a follow up call is necessary, it would be helpful so that I can provide additional clarification pertaining to the findings of the investigation, which I will also provide below, and to understand your new concerns pertaining to a "bad" performance review.

I do want to note that it is the role of the Employment Practices team to investigate concerns raised by employees and recommend appropriate action where necessary to address those concerns. We conducted an objective and thorough investigation into your concerns. We found no evidence that gender, race or anything else inappropriate factored into the compensation decisions within your department and found no reason that would require a pay adjustment at this time.

We did find that there are variations in pay due to legitimate business reasons such as performance levels, job scope and responsibilities, and overall contribution to the business. For example, our findings found that others on the team have had higher levels of performance and contributions and as a result received more frequent and higher focal increases.

Also, in 2016, you voluntarily relocated from New Hampshire to California, which has a higher cost of living and a higher salary range. We found that your manager supported your relocation request even though there was no business need for your relocation. We also found that while it is not standard practice to provide pay adjustments for voluntary relocations, your manager did give you an increase in pay, in fact the largest increase during the FY2016 focal process. Your manager made the decision to give you the largest pay increase, which required that he give others less or no increase at all, to help you with your relocation to a geography with a higher cost of living.

Our investigation found that for at least the past three years your performance rating has been the same and your overall contributions in comparison to others on the team has recently improved. When I spoke with your manager, he also shared that he has seen some recent improvements in your performance and contribution. During the most recent focal process, for FY2017, you received an increase where others did not. Pertaining to your promotion, you contacted me to let me know that your promotion was not moving forward which was prior to my contact with your management about your concerns. Also, management has

DOL000044170

explained that while they have seen some recent improvements, there are additional areas of improvement required in order to be considered for a promotion. That, along with your desire to receive more pay, was the reason that I recommended you speak with your management and HRBP to gain clarity on the requirements for consideration of a promotion along with suggestions pertaining to your performance and contributions that will better support consideration of a pay increase during a future focal process.

Pertaining to your question about sharing the findings of the investigation, we consider this to be an internal confidential investigation, however, you are free to discuss with others as you feel appropriate.

Please let me know if you would like to schedule a call to discuss further, or please respond with additional detail pertaining to your new concerns, including any supporting documentation, so that we can look into them. Thanks so much.

Sincerely,

**ORACLE**

Nicole Lurie | Sr. Employment Practices Consultant

| +1.650.506.6648 | 1.805.750.3343 mobile

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---

**From:** nicole alexander

**Sent:** Monday, July 03, 2017 4:54 PM

**To:** Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)>

**Subject:** Re: Written Follow Up

DOL000044171

Thank you Nicole, but no further discussion is necessary.

I am disappointed that my manager/Oracle had to denigrate my performance to justify my salary in the Bay Area; and to further delay my promotion. My salary is a fact that speaks for itself. Also, the numerous recommendations sent by colleagues, customers, business partners, and academic institutions in support of my work at Oracle also speak for themselves.

I would like to share my experience with others so that they fully understand the consequences of "good faith reporting of concerns" to Oracle HR.

Best regards,

Nicole A.

On 7/3/2017 2:31 PM, Nicole Lurie wrote:

Thanks for your message. When are you available on Wednesday to discuss further?

Sincerely,

**ORACLE**

Nicole Lurie | Sr. Employment Practices Consultant

| +1.650.506.6648 | 1.805.750.3343 mobile

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---

**From:** Nicole Alexander

**Sent:** Monday, July 03, 2017 1:43 PM

DOL000044172

**To:** Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)>

**Subject:** Re: Written Follow Up

Thank you Nicole. With regard to "no reprisal or retaliation", I got my first bad performance review in 17 years after my manager was contacted regarding this matter. My status went from application submitted for CMTS promotion to unsuitable for CMTS promotion. My direct questions were not answered by this inquiry and my salary situation remains the same. I am still trying to make sense of this all. Is it OK to share your findings and this experience with other employees?

Best regards,

Nicole A.

On Jul 3, 2017, at 16:19, Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)> wrote:

Dear Nicole:

Hello. As we discussed earlier today, attached is the written follow up to your concerns. Again, thank you for bringing your concerns forward and giving us the opportunity to look into them. As noted in Oracle's Employee Handbook and Code of Conduct, there will be no reprisal or retaliation for good faith reporting of concerns.

If you have any other questions regarding the investigation, please let me know. If you have any other HR related questions, please work with your HR Business Partner.

Hope you have a nice holiday tomorrow.

Sincerely,

DOL000044173

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Nicole Lurie | Sr. Employment Practices Consultant

| +1.650.506.6648 | 1.805.750.3343 mobile

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<image002.gif>

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**From:** nicole alexander

**Sent:** Monday, July 03, 2017 10:48 AM

**To:** Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)>

**Subject:** Re: Low-Wages Concern

OK, thank you. Look forward to speaking with you.

On 7/3/2017 10:47 AM, Nicole Lurie wrote:

Thanks Nicole. I'll contact you today at 11:30am.

Sincerely,

<image001.gif>

Nicole Lurie | Sr. Employment Practices Consultant

| +1.650.506.6648 | 1.805.750.3343 mobile

Oracle Human Resources

<image002.gif>

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**From:** Nicole Alexander  
**Sent:** Monday, July 03, 2017 10:44 AM  
**To:** Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)>  
**Subject:** Re: Low-Wages Concern

Hi Nicole,

You may call me now or any time today, 603-233-3801.

Thanks,

Nicole A.

On Jul 3, 2017, at 13:16, Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)> wrote:

Dear Nicole:

Good morning. Please let me know when you are available to schedule a call so that I can share the findings of the investigation. Thanks so much.

Sincerely,

DOL000044175

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Nicole Lurie | Sr. Employment Practices Consultant

| +1.650.506.6648 | 1.805.750.3343 mobile

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**From:** nicole alexander  
**Sent:** Wednesday, June 21, 2017 1:29 PM  
**To:** Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)>  
**Subject:** Re: Low-Wages Concern

Thanks for the update Nicole. Have a great vacation!

On 6/21/2017 11:56 AM, Nicole Lurie wrote:

Hello Nicole. I wanted to reach out to let you know that I'm finalizing the investigation, however, I won't have things wrapped up before my vacation from 6/22/17 through 6/29/17. I'll follow up with you shortly after my return. Thanks.

Sincerely,

<image001.gif>

Nicole Lurie | Sr. Employment Practices Consultant

I +1.650.506.6648 | 1.805.750.3343 mobile

Oracle Human Resources

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**From:** nicole alexander  
**Sent:** Wednesday, June 07, 2017 1:36 PM  
**To:** Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)>  
**Subject:** Re: Low-Wages Concern

Thank you -- I look forward to your findings.

On 6/7/2017 11:11 AM, Nicole Lurie wrote:

Thanks for your message. These sorts of reviews can take time as there is a lot of information to gather and review and are not as simple as looking at your salary. When we look at your salary, it is within the range for your position, however we do more than ensure it is within range. Please know that I continue to work on this and as soon as I have information to share, I will follow up with you. Thanks again for your patience.

Sincerely,

<image001.gif>

Nicole Lurie | Sr. Employment Practices Consultant

I +1.650.506.6648 | 1.805.750.3343 mobile

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Oracle Human Resources

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**From:** nicole alexander  
**Sent:** Wednesday, June 07, 2017 9:09 AM  
**To:** Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)>  
**Subject:** Re: Low-Wages Concern

Thanks Nicole. But what exactly is causing the delay? Surely after 6 weeks you must know whether or not I am being underpaid. Is there anything that I can do to help expedite the process?

On 6/7/2017 9:01 AM, Nicole Lurie wrote:

Good morning Nicole. Thanks for reaching out. I'm making progress and getting closer, but still have more work to do. I will follow up with you as soon as I have more information to share. Thanks for your patience.

Sincerely,

<image001.gif>

Nicole Lurie | Sr. Employment Practices  
Consultant

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mobile

Oracle Human Resources

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**From:** nicole alexander  
**Sent:** Wednesday, June 07, 2017 8:12 AM  
**To:** Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)>  
**Subject:** Re: Low-Wages Concern

Hi Nicole,

Kindly update me on the status of my inquiry. I look forward to hearing from you.

Best regards,

Nicole A.

On 5/19/2017 4:48 PM, Nicole Lurie wrote:

Hi Nicole. I wanted to give you a quick update. I'm still in the process of looking into your concerns. I'll follow up if I have further questions or once I have completed my review. In the meantime, if you have any questions or have any other

DOL000044179

information to share, please let me know. Thanks.

Sincerely,

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Nicole Lurie | Sr.  
Employment Practices  
Consultant

| +1.650.506.6648 |  
1.805.750.3343 mobile

Oracle Human Resources

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**From:** Nicole Lurie  
**Sent:** Tuesday, May 02, 2017  
4:14 PM  
**To:** Nicole Alexander  
<[nicole.alexander@oracle.com](mailto:nicole.alexander@oracle.com)>  
≥  
**Subject:** RE: Low-Wages  
Concern

Thanks Nicole. I'll follow up with you if I have further questions or once I've completed my review. In the meantime, if you have any questions or any other information to share, please let me know. Thanks so much.

Sincerely,

<image001.gif>

Nicole Lurie | Sr.  
Employment Practices  
Consultant

| +1.650.506.6648 |  
1.805.750.3343 mobile

Oracle Human Resources

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**From:** nicole alexander  
**Sent:** Tuesday, May 02, 2017  
4:00 PM  
**To:** Nicole Lurie  
<[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)>  
**Subject:** Re: Low-Wages  
Concern

Nicole,

Thank you for your time earlier. Please remember to delete the last email I sent. There will be no further updates from my end as no CMTS promotion is likely in the near future. I was promoted to PMTS in 2005.

Best regards,

Nicole A.

On 5/2/2017 11:54 AM, Nicole Lurie wrote:

Thanks Nicole.  
Please call me  
at 805-750-  
3343. If  
something  
changes in your  
schedule, just  
let me know.

Sincerely,

<image001.gif>

Nicole Lurie |  
Sr.  
Employment  
Practices  
Consultant

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Oracle Human  
Resources

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**From:** nicole  
alexander  
**Sent:** Tuesday,  
May 02, 2017  
11:38 AM  
**To:** Nicole Lurie  
<[nicole.lurie@o  
racle.com](mailto:nicole.lurie@oracle.com)>  
**Subject:** Re:  
Low-Wages  
Concern

Thank you  
Nicole. I will try  
today at 1:00  
PM -- I will call  
you.

Best regards,

Nicole A.

----- Forwarded Message -----

**Subject:**Low-Wages Concern  
**Date:**Mon, 10 Apr 2017 09:34:54 -0700  
**From:**nicole alexander <[nicole.alexander@oracle.com](mailto:nicole.alexander@oracle.com)>  
**Organization:**Oracle Corporation  
**To:**[barbara.williams@oracle.com](mailto:barbara.williams@oracle.com)

Dear Ms Williams,

I am an Oracle employee of 17 years. Oracle hired me out of Mountain View, CA and relocated me to Nashua, NH in 2000. In April, 2016 I returned to CA and currently work in Bldg 400 at the Oracle Headquarters. At Oracle, I am a Principal Member of Technical Staff on the Oracle Spatial and Graph development team. My manager said that the application for my promotion to Consulting Member of Technical Staff is currently being reviewed.

According to Saturday's article by the Associated Press [1], Oracle is currently being sued by the Labor Department. The Labor Department claims that, Oracle "routinely pays white male workers more than their female and non-white counterparts for comparable jobs." In light of this now public disclosure, I would like my salary discretely reviewed. In my estimation, my salary is over \$50,000 **less** than what other Software Engineers with my level of experience are paid in the Bay Area.

I have discussed my salary concern with my manager. However, because I am currently up for promotion, I am hesitant to launch any detailed investigation. Please advise me on how I should proceed with this matter.

Sincerely,

Nicole A.

REFERENCE:

[1] Feds Accuse Google of Underpaying Female Employees (April 08, 2017):  
<http://www.nbcnews.com/news/us-news/feds-accuse-google-underpaying-female-employees-n744131>

DOL000044375

Dear Nicole,

Good morning. Please let me know when you have time to schedule a call. I have some follow up questions. Thanks so much.

Sincerely,

**ORACLE**

Nicole Lurie | Sr. Employment Practices Consultant

| +1.650.506.6648 | 1.805.750.3343 mobile

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**From:** nicole alexander

**Sent:** Tuesday, April 18, 2017 3:12 PM

**To:** Nicole Lurie <nicole.lurie@oracle.com>

**Subject:** Re: Low-Wages Concern

Dear Nicole,

Thank you for your time earlier. Please let me know if you have any follow up questions.

Best regards,  
Nicole A.

DOL000044376

On 4/17/2017 9:11 AM, Nicole Lurie wrote:

Thanks Nicole. Yes, tomorrow at 2:00pm PDT works for me. Please call me then from a private location at 805-750-3343. Or, if you prefer that I call you, please provide the best number to reach you at. Thanks so much.

Sincerely,

**ORACLE**

Nicole Lurie | Sr. Employment Practices Consultant

| +1.650.506.6648 | 1.805.750.3343 mobile

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**From:** nicole alexander

**Sent:** Monday, April 17, 2017 8:51 AM

**To:** Nicole Lurie <[nicole.lurie@oracle.com](mailto:nicole.lurie@oracle.com)>

**Subject:** Re: Low-Wages Concern

Dear Laurie,

Thank you for getting in touch. Tuesday at 2:00 PM works for me. Let me know if that time is convenient for you. I am attaching a copy of my CV for your review.

Sincerely,

Nicole A.

DOL000044377

On 4/13/2017 3:18 PM, Nicole Lurie wrote:

Dear Nicole:

Good afternoon. My name is Nicole Lurie and I work in the Employment Practices Department within Human Resources. I've been assigned to look into your below concerns. Please let me know when would be a convenient time to schedule a call to speak about your concerns? Thanks so much.

Sincerely,

**ORACLE**

Nicole Lurie | Sr. Employment Practices Consultant

| +1.650.506.6648 | 1.805.750.3343 mobile

Oracle Human Resources

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**From:** nicole alexander  
**Sent:** Tuesday, April 11, 2017 1:59 PM  
**To:** Trimbake <[niti.bhatia@oracle.com](mailto:niti.bhatia@oracle.com)>  
**Subject:** Re: Low-Wages Concern

Dear Ms Bhatia,

Barbara (Williams) Hardy suggested I contact you with regard to the matter explained below. Please advise me on how I should proceed. Also, I can stop by your office to discuss the matter at your convenience -- please let me know.

Sincerely,

Nicole A.

----- Forwarded Message -----

**Subject:**Low-Wages Concern  
**Date:**Mon, 10 Apr 2017 09:34:54 -0700  
**From:**nicole alexander <[nicole.alexander@oracle.com](mailto:nicole.alexander@oracle.com)>  
**Organization:**Oracle Corporation  
**To:**[barbara.williams@oracle.com](mailto:barbara.williams@oracle.com)

Dear Ms Williams,

I am an Oracle employee of 17 years. Oracle hired me out of Mountain View, CA and relocated me to Nashua, NH in 2000. In April, 2016 I returned to CA and currently work in Bldg 400 at the Oracle Headquarters. At Oracle, I am a Principal Member of Technical Staff on the Oracle Spatial and Graph development team. My manager said that the application for my promotion to Consulting Member of Technical Staff is currently being reviewed.

According to Saturday's article by the Associated Press [1], Oracle is currently being sued by the Labor Department. The Labor Department claims that, Oracle "routinely pays white male workers more than their female and non-white counterparts for comparable jobs." In light of this now public disclosure, I would like my salary discretely reviewed. In my estimation, my salary is over \$50,000 **less** than what other Software Engineers with my level of experience are paid in the Bay Area.

I have discussed my salary concern with my manager. However, because I am currently up for promotion, I am hesitant to launch any detailed investigation. Please advise me on how I should proceed with this matter.

Sincerely,

Nicole A.

REFERENCE:

[1] Feds Accuse Google of Underpaying Female Employees (April 08, 2017): <http://www.nbcnews.com/news/us-news/feds-accuse-google-underpaying-female-employees-n744131>

Thanks Nicole. Yes, tomorrow at 2:00pm PDT works for me. Please call me then from a private location at 805-750-3343. Or, if you prefer that I call you, please provide the best number to reach you at. Thanks so much.

Sincerely,

**ORACLE**

Nicole Lurie | Sr. Employment Practices Consultant

| +1.650.506.6648 | 1.805.750.3343 mobile

Oracle Human Resources

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**From:** nicole alexander

**Sent:** Monday, April 17, 2017 8:51 AM

**To:** Nicole Lurie <nicole.lurie@oracle.com>

**Subject:** Re: Low-Wages Concern

Dear Laurie,

Thank you for getting in touch. Tuesday at 2:00 PM works for me. Let me know if that time is convenient for you. I am attaching a copy of my CV for your review.

Sincerely,

DOL000044380

Nicole A.

On 4/13/2017 3:18 PM, Nicole Lurie wrote:

Dear Nicole:

Good afternoon. My name is Nicole Lurie and I work in the Employment Practices Department within Human Resources. I've been assigned to look into your below concerns. Please let me know when would be a convenient time to schedule a call to speak about your concerns? Thanks so much.

Sincerely,

**ORACLE**

Nicole Lurie | Sr. Employment Practices Consultant

| +1.650.506.6648 | 1.805.750.3343 mobile

Oracle Human Resources

Integrated Cloud Applications & Platform Services

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**From:** nicole alexander  
**Sent:** Tuesday, April 11, 2017 1:59 PM  
**To:** Trimbake <[niti.bhatia@oracle.com](mailto:niti.bhatia@oracle.com)>  
**Subject:** Re: Low-Wages Concern

Dear Ms Bhatia,

Barbara (Williams) Hardy suggested I contact you with regard to the matter explained below. Please advise me on how I should proceed. Also, I can stop by your office to discuss the matter at your convenience -- please let me know.

Sincerely,

Nicole A.

----- Forwarded Message -----

**Subject:**Low-Wages Concern  
**Date:**Mon, 10 Apr 2017 09:34:54 -0700  
**From:**nicole alexander <[nicole.alexander@oracle.com](mailto:nicole.alexander@oracle.com)>  
**Organization:**Oracle Corporation  
**To:**[barbara.williams@oracle.com](mailto:barbara.williams@oracle.com)

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# EXHIBIT C

# ORACLE

PERSONAL AND CONFIDENTIAL

## MEMORANDUM

**Date:** July 3, 2017  
**To:** Nicole Alexander  
**From:** Nicole Lurie, Sr. Employment Practices Consultant  
**Subject:** Investigation Results

This letter is written confirmation of the results of the salary review conducted by Human Resources on your behalf following your April 10, 2017 email. You and I spoke on April 18, 2017 and April 26, 2017, after I was assigned to look into your concerns. You alleged that your salary was low and wanted to know how it compared to others because following your voluntary relocation from New Hampshire to California, specifically the Bay Area, you felt you were paid lower than what other tech companies were paying in the area. You also said that although your manager had given you two "little" increases, in part because of your move, you were still making less in California due to the higher cost of living, including state taxes and higher rent.

We conducted a thorough investigation of your concerns that included interviews with you, your manager, other employees and management. We also reviewed various records, emails, and files, including information and documentation you have provided relevant to this investigation.

Our investigation found no evidence that gender, race or anything else inappropriate factored into the compensation decisions within your department. We did find that there are variations in pay due to legitimate business reasons such as performance levels, job scope and responsibilities, and overall contribution to the business.

Our investigation also found that your manager supported your voluntary request to relocate to California, even though there was no business need for you to relocate. We also found that while it is not standard practice to provide pay adjustments for voluntary relocations, your manager did give you an increase in pay, in fact the largest increase during the FY2016 focal process, to help with your voluntary move to a geography with a higher cost of living.

Based on our investigation, we did not find any reason that would require a pay adjustment at this time, however, you are encouraged to speak with your manager and HRBP about your pay. They can provide suggestions pertaining to your performance and contributions that will better support consideration of a pay increase should there be available budget during a future focal process.

EXHIBIT 106

Deponent Baxter

Date 7-3-19

Gina Carbone, CSR

You have indicated that you have provided all the information and documentation relevant to this investigation. If in the future you obtain any additional documentation or information that you believe might impact the decision made in this investigation, please let me know.

Let me remind you that the contents of this investigation are confidential, and will be disclosed only to those individuals who have a legitimate business need to know. Also, as noted in Oracle's Employee Handbook and Code of Conduct, there will be no reprisal or retaliation for good faith reporting of concerns.

Thank you for informing us of your concerns. Should you have any questions regarding the investigation, please do not hesitate to contact me at 650-506-6648. If you have any future questions or concerns please contact your HRBP or Oracle's Integrity Helpline at 800-679-7417.