

UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES

OFFICE OF FEDERAL CONTRACT
COMPLIANCE PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

ORACLE AMERICA, INC.,

Defendant.

OALJ Case No. 2017-OFC-00006

OFCCP No. R00192699

OMNIBUS DECLARATION OF
WARRINGTON S. PARKER III
IN SUPPORT OF ORACLE
AMERICA, INC.'S MOTIONS IN
LIMINE

RECEIVED

NOV 15 2019

Office of Administrative Law Judges
San Francisco, Ca

I, Warrington S. Parker III, hereby declare as follows:

1. I am an attorney admitted to practice in the State of California. I am a Partner at Orrick, Herrington & Sutcliffe LLP ("Orrick") and counsel to Oracle America, Inc. ("Oracle") in the above matter. I make this declaration in support of Oracle's Motions in *Limine*, filed concurrently herewith. I have personal knowledge of the facts set forth herein, except where stated on information and belief, and, if called as a witness, could competently testify thereto.

2. On November 13, 2019, counsel for OFCCP Norman Garcia sent OFCCP's proposed stipulations which I reviewed. OFCCP's proposal included 151 proposed stipulations that spanned eleven pages. Among those stipulations were at least 14 that related to Oracle's net worth, profit, or dividends and/or executive level compensation.

3. Attached hereto as **Exhibit A** is a true and correct copy of excerpts from OFCCP's Federal Contract Compliance Manual, dated October 2014.

4. Attached hereto as **Exhibit B** is a true and correct copy of excerpts from the transcript of a hearing in OFCCP v. Analogic Corporation, Case No. 2017-OFC-00001, which took place on June 27, 2017.

5. Attached hereto as **Exhibit C** is a true and correct copy of excerpts of OFCCP's Supplemental Responses to Oracle's Interrogatories, Set Two, which was served on Oracle on July 5, 2019.

6. Attached hereto as **Exhibit D** is a true and correct copy of excerpts from the transcript of the deposition of Madhavi Cheruvu, which took place on June 11, 2019.

7. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from the transcript of the PMK deposition of Sean Ratliff, which took place on August 14, 2019.

8. Attached hereto as **Exhibit F** is a true and correct copy of excerpts from the transcript of the deposition of Jane Suhr, which took place on June 26, 2019.

9. Attached hereto as **Exhibit G** is a true and correct copy of excerpts from the transcript of the deposition of Milton Crossland, which took place on June 18, 2019.

10. Attached hereto as **Exhibit H** is a true and correct copy of excerpts from OFCCP's Responses to Oracle's Interrogatories, Set Two, which was served on Oracle on April 9, 2019.

11. Attached hereto as **Exhibit I** is a true and correct copy of excerpts from the transcript of the deposition of expert Janice Madden, Ph.D., which took place on October 10, 2019.

12. On November 14, 2019 at 7:32 p.m. I received an email from counsel for OFCCP, Abigail Daquiz, which attached two zip files. One file included reproduced interview memos that is unrelated to the subject of this motion. The second file included 7 documents consisting of emails and screenshots of emails relating to a certain individual, the most recent of which is dated November 25, 2015. Attached hereto as **Exhibit J** is a true and correct copy of the cover email I received from Ms. Daquiz.

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

Executed in San Francisco, California on November 15, 2019.



Warrington S. Parker III

EXHIBIT A

Federal Contract Compliance Manual

October 2014



OFFICE OF FEDERAL CONTRACT
COMPLIANCE PROGRAMS



U.S. DEPARTMENT OF LABOR

www.dol.gov/ofccp

INTRODUCTION

At the Office of Federal Contract Compliance Programs (OFCCP), we protect workers, promote diversity through equal opportunity, and enforce the law. We hold those who do business with the Federal Government, contractors and subcontractors, to the fair and reasonable standard that they take affirmative action and not discriminate based on sex, race, color, religion, national origin, disability or status as a protected veteran.

It is estimated that nearly one in four American workers is employed by a company receiving federal funds for contracted work. That is nearly more than 200,000 businesses with contracts totaling almost \$700 billion based on 2011 data from the Division of Program Operations. Among the several ways OFCCP protects employees of companies doing business with the Federal Government, and educates these companies about their rights and obligations, is conducting quality compliance evaluations and complaint investigations.

This revised Federal Contract Compliance Manual (hereafter referred to as the “FCCM” or the “Manual”) provides new and experienced compliance officers (COs) the procedural framework for executing quality and timely compliance evaluations and complaint investigations. It provides procedural and technical guidance on compliance issues based on current agency procedures and processes, and improves consistency across the agency’s regional and field offices. It may also provide our contractors and subcontractors more transparency and clarity about basic OFCCP procedures and processes. That said, there might be slight differences between regions and offices because some discretion remains with COs and their supervisors as to the best way to manage individual compliance evaluations and investigations within the framework created by the Manual. Remember, these differences should be minor and should occur infrequently because one of the goals of the Manual is standardization. All references to the terms “compliance officer” and CO in this Chapter and throughout the Manual include any OFCCP employee that is responsible for the tasks or activities described.

The FCCM does not establish substantive agency policy. Therefore, if there is an inconsistency between material in the Manual and other OFCCP policies and its implementing regulations, the latter are controlling. OFCCP continues to use directives and other issuances to communicate substantive policy guidance, procedures, and agency enforcement priorities to its COs and those we regulate. This Manual is subject to change without public notice. The FCCM does not create new legal rights or requirements or change current legal rights or requirements for federal contractors. The official sources for contractors’ compliance obligations remain Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended; the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended; OFCCP’s regulations at 41 CFR Part 60; and applicable case law.

The Manual has eight chapters, a list of key words and phrases, a glossary and several attachments, including sample forms and letters. The chapters cover how OFCCP’s COs, and others responsible for conducting the activities covered in the Manual, conduct a desk audit, an onsite review, a construction industry compliance evaluation, a corporate management compliance evaluation and a complaint investigation. It also covers the agency’s functional

affirmative action program (FAAP), the various types of discrimination remedies and ways to resolve noncompliance issues.

The National Office wishes to acknowledge the contributions of our regional and field staff during the development of this revised Manual. Their insight and experience greatly enriched this Manual. The agency is dedicated to providing its COs ongoing support and training because we believe that a well-trained workforce is an effective workforce. We will continue supplementing the processes and procedures in this Manual with uniform staff training and by providing other appropriate resources.

KEY WORDS AND PHRASES

Accessibility

The extent to which applicants and employees with disabilities can readily approach and use a contractor's facilities, amenities, and programs – including, but not limited to, work areas, employee lounge areas and online application systems.

Accommodation

See definitions of "Reasonable Accommodation" and "Religious Accommodation."

Active Case Enforcement (ACE)

The procedures for conducting Supply & Service (S&S) compliance evaluations scheduled from the Federal Contractor Scheduling System (FCSS). Directive 295, issued December 16, 2010, established the ACE procedures. These procedures replaced the Active Case Management procedures established in 2003 and later rescinded by Directive 292 in December 2010.

Active Case Management (ACM)

A tiered compliance review process whereby the compliance officer (CO) may close supply and service compliance evaluations after the desk audit if the CO does not find indicators of systemic discrimination. Process in effect until rescinded, and replaced by ACE.

Administering Agency

Any department, agency or establishment in the executive branch of the government, including any wholly owned government corporation that administers a program involving federally assisted construction contracts. See 41 CFR 60-1.3.

Administrative Complaint

A document filed by the Solicitor's Office on behalf of OFCCP with the Office of Administrative Law Judges that begins an administrative enforcement proceeding under Executive Order 11246, Section 503, and/or Section 4212.

Administrative Law Judge (ALJ)

The presiding official at an administrative enforcement proceeding under Executive Order 11246, Section 503, and/or Section 4212. See 41 CFR Part 60-30, 41 CFR 60-1.26(b), 60-250.65(b), 60-300.65(b), and 60-741.65(b).

Administrative Procedure Act

A law enacted by Congress in 1946. It establishes basic requirements to which an administrative process must conform. It includes standards for rulemaking, for certain formal adjudication and for court reviews of certain administrative actions. See 5 U.S.C. 500 *et seq.*

Adverse Impact

As defined by UGESP at 41 CFR 60-3.16B, a substantially different rate of selection in hiring, promotion, transferring, training or other employment decision which works to the disadvantage of the members of a race, sex or ethnic group identified in 41 CFR 60-3.4. See the related term “Disparate Impact.”

Affected Class

A group of people sharing common traits or characteristics (e.g., the same race, gender, ethnicity), who are the victims of systemic discrimination.

Affirmative Action

Actions, policies and procedures to which a contractor commits itself that are designed to achieve equal employment opportunity. Affirmative action obligations entail thorough, systematic efforts to prevent discrimination from occurring and to detect it and eliminate it as promptly as possible. Affirmative Action obligations also require contractors to ensure equal opportunity in their recruitment and outreach efforts.

Affirmative Action Program (AAP)

A management tool designed to ensure equal employment opportunity. The requirements for an affirmative action program that satisfies Executive Order 11246, Section 503 and Section 4212, are set forth in 41 CFR Parts 60-2; 60-741, Subpart C; 60-250, Subpart C; or 60-300, Subpart C. These include requiring a contractor to annually detail the affirmative steps it has taken and will take in the future to ensure equal employment opportunity.

American Indian/Alaskan Native (not Hispanic or Latino)

As defined by OMB’s *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*, a person with origins in any of the original peoples of North and South America (including Central America), and who maintains cultural identification through tribal affiliation or has community recognition as an American Indian or Alaskan Native.

Americans with Disabilities Act (ADA)(Title I)

Title I of the ADA (42 U.S.C. 12101, *et seq*) prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals on the basis of disability in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees, including state and local governments. The ADA's nondiscrimination standards also apply to federal sector employees under Section 501 and federal contractors under Section 503 of the Rehabilitation Act, as amended, and its implementing rules.

Amended Show Cause Notice (ASCN)

A letter from OFCCP to the contractor that is used when a CO issues an Show Cause Notice (SCN) to the contractor and later finds additional unresolved violations, or finds that some but not all violations were cited in error. The ASCN identifies all the unresolved or current violations.

Anecdotal Evidence

Oral or written narrative or data that indirectly supports a finding of discrimination. For example, data showing that the contractor has not hired an African American in the job at issue in the past three years or interview statements from affected applicants, current employees, or selecting officials that imply that discrimination occurred. Anecdotal evidence is often contrasted to statistical evidence or direct evidence. See definitions of "Statistical Evidence" and "Direct Evidence."

Anti-nepotism Policy

A policy or practice that limits the simultaneous employment of two or more members of the same family.

Applicant

The precise definition of "applicant" depends upon the contractor's recruitment and selection procedures. The concept of an applicant is that of a person who has indicated an interest in being considered for hiring, promotion, or other employment opportunities. This interest might be expressed by completing an application, or might be expressed orally, depending upon the contractor's practice. See Question and Answer 15 to the Adoption of Questions and Answers to Clarify and Provide a Common Interpretation of the Uniform Guidelines on Employee Selection Procedures.

Applicant Flow Data (Log)

A chronological compilation of applicants (including Internet applicants) for employment or promotion showing each individual, categorized by race, sex and ethnic group, who

applied for each job title (or group of jobs requiring similar qualifications) during a specific period.

Apprenticeship (Contractor or Industry Specific)

A system of agreement, written or implied, that uses practical experience to train a person in a recognized trade or craft in accordance with specified standards.

Armed Forces Service Medal Veteran

Any veteran who, while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation for which an Armed Forces Service Medal was awarded pursuant to Executive Order 12985 (61 FR 1209). See 41 CFR 60-300.2(r).

Asian (not Hispanic or Latino)

As defined by OMB's *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity* (1997), a person with origins in any of the original peoples of the Far East, Southeast Asia or the Indian subcontinent. This area includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam. However, under the regulations in part 60-2, the category is called "Asian/Pacific Islander" and contractors may use either Asian or Asian/Pacific Islander in developing their AAPs.

Availability

As described in 41 CFR 60-2.14, an estimate of the number of qualified minorities or women available for employment in a given job group, expressed as a percentage of all qualified people available for employment in the given job group. The purpose of the availability determination is to establish a benchmark against which the demographic composition of the contractor's incumbent workforce can be compared in order to determine whether barriers to equal employment opportunity may exist within particular job groups.

Back Pay

Lost earnings caused by a contractor's discriminatory employment practices or procedures. Lost earnings include but are not limited to: salary, wages, overtime, premium pay and shift differentials, incentive pay, raises, bonuses, lost sales commissions, cost-of-living increases, tips, medical and life insurance, fringe benefits, pensions, stock options and awards.

Bargaining Agreement

Also referred to as “collective bargaining agreement” and sometimes known as a “labor-management agreement” or “union contract.” These terms refer to an agreement between an employer and a union establishing wages, hours and other terms and conditions of employment for employees in the bargaining unit represented by the union.

Basic Qualifications

For the purpose of defining an Internet applicant, “basic qualifications” mean qualifications:³²³

- (i) (A) That the contractor advertises (e.g., posts on its Web site a description of the job and the qualifications involved) to potential applicants that they must possess in order to be considered for the position, or
(B) For which the contractor established criteria in advance by making and maintaining a record of such qualifications for the position prior to considering any expression of interest for that particular position if the contractor does not advertise for the position but instead uses an alternative device to find individuals for consideration (e.g., through an external resume database), and
- (ii) That meet all of the following three conditions:
 - (A) The qualification must be noncomparative features of a job seeker. For example, three years’ experience in a particular position is a noncomparative qualification; a qualification that an individual have one of the top five number of years’ experience among a pool of job seekers is a comparative qualification.
 - (B) The qualifications must be objective; they do not depend on the contractor’s subjective judgment. For example, “a Bachelor’s degree in Accounting” is objective if a third-party, with the contractor’s technical knowledge, would be able to evaluate whether the job seeker possesses the qualification without more information about the contractor’s judgment.
 - (C) The qualifications must be relevant to performance of the particular position and enable the contractor to accomplish business-related goals.

Black or African American (not Hispanic or Latino)

As defined by OMB’s *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity* (1997) an individual, not of Hispanic origin, with origins in any of the black racial groups of Africa.

³²³ See 41 CFR 60-1.3, section 4 of definition of Internet applicant.

Bona Fide Occupational Qualification (BFOQ)

A defense to the general prohibition of discrimination in employment on the basis of sex, religion or national origin that permits an employer to limit a particular job to members of one sex, religion or national origin group. Race cannot be used as a BFOQ.

The BFOQ defense is very narrow, but has been successfully used in the gender context when privacy concerns are implicated. For example, a women's prison may be able to demonstrate a female BFOQ for the hiring of a guard to perform body searches of female prisoners.

Bona Fide Seniority, Merit or Incentive System

An employer may lawfully compensate employees differently on the basis of a bona fide seniority, merit, or incentive system. A seniority system rewards employees according to the length of their employment. A merit system rewards employees for exceptional job performance. An incentive system provides compensation on the basis of the quality or quantity of production. To be a bona fide system, it must not have been adopted with discriminatory intent; it must be based on predetermined criteria; it must have been communicated to employees; and it must have been applied consistently and evenhandedly to employees of both sexes.

Bumping Rights

The rights of one employee to displace another employee during a layoff, reduction-in-force or other employment action as defined in a collective bargaining or other binding agreement.

Business Necessity

A defense used by an employer when it uses an employment practice, such as a selection criterion, that is facially neutral and consistently applied, but which excludes members of one sex, race, national origin or religious group at a substantially higher rate than members of other groups (thus creating adverse impact). The employer must prove that a requirement that causes adverse impact is job-related and consistent with business necessity. Business necessity may also have to be proven when an employer uses a qualification standard that screens out an individual because of his or her disability, such as an uncorrected vision test or standard. OFCCP uses Title VII, UGESP and ADA standards, as appropriate, when evaluating a contractor's assertion of a business necessity defense.

Caregiver Discrimination

Being a working parent or another type of caregiver is not a protected characteristic under Title VII, the ADA, or the laws enforced by OFCCP. However, there are circumstances

in which discrimination against caregivers may constitute unlawful disparate treatment or disparate impact based on a protected characteristic such as sex, or race. Discrimination against a caregiver due to his or her association with an individual with a disability may be a violation of Section 503.

Case Management System (CMS)

An automated system designed to track and monitor compliance evaluations or complaint investigations of establishments or functional units. Field offices have specific responsibilities to add information into this automated system. Specific instructions are found in the online Case Management System Manual.

Caucasian (not Hispanic or Latino)

Referred to as “white” by OMB in the *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity* (1997) “White” is a person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Circumstantial Evidence

Also referred to as inferential or indirect evidence. A method of proof relying on comparative evidence or other evidence giving rise to an inference of discrimination. Circumstantial evidence typically involves an extra (inferential) step to draw a conclusion about whether discrimination has occurred. It can include [statistical evidence](#), suspicious or ambiguous timing, statements or behavior, or any other bits and pieces of evidence that collectively support an inference of discrimination.

Civilian Labor Force

The aggregate of people classified as employed and as unemployed in accordance with the criteria established by the Bureau of the Census and the U.S. Department of Commerce. See "Employed" and "Unemployed."

Class Complaint

A complaint brought by one or more complainants on behalf of a group (consisting of two or more) who have a common claim against a federal contractor.

Coercion

The practice of forcing another party to behave in an involuntary manner (whether through action or inaction) by use of threats, intimidation or some other forms of pressure or force.

Cohort Analysis

A non-statistical comparison of the treatment of similarly situated individuals, small groups of applicants or employees.

Collateral Estoppel

A bar to relitigating an issue that has already been litigated between the same parties or certain closely related people (sometimes known as privies). Under collateral estoppel, when an issue has been contested and finally resolved in litigation involving the parties, that resolution of the issue is binding on future litigation involving the two parties (or their privies).

Collective Bargaining Agreement

See definition of "Bargaining Agreement."

Complaint

A written document filed with OFCCP by, or on behalf of, one or more employees, applicants or former employees that alleges that such individuals have been the victim of discrimination and/or retaliation that is prohibited by the laws enforced by OFCCP, or under Section 503 or VEVRAA, alleges a violation of the pertinent Act or regulations.

Compliance Check

A compliance evaluation procedure that involves a determination of whether the contractor has maintained appropriate records consistent with the regulations at 41 CFR Parts 60-1.12, 60-250.80, 60-300.80, and 60-741.80. The contractor has the option of providing the documents either onsite or offsite. 41 CFR § 60-1.20(a)(3), 60-250.60(a)(3), 60-300.60(a)(3) and 60-741.60(a)(3).

Compliance Evaluation

The investigation and review process used by OFCCP to determine if a federal contractor is complying with the nondiscriminatory and affirmative action employment obligations outlined in 41 CFR Chapter 60. A compliance evaluation consists of any one or any combination of the following investigative procedures: compliance review, offsite review of records, compliance check or focused review. See 41 CFR 60-1.20(a), 60-250.60(a), 60-300.60(a) and 60-741.60(a).

Compliance Officer (CO)

A career ladder professional position typically located in an OFCCP district or area office, but also found in some regional offices. The career ladder includes entry level, journey level and senior level positions. As one moves up the career ladder, the CO demonstrates greater responsibility and independence in his or her work, recommendations and assignments. At each level, the CO will work individually or in teams conducting compliance evaluations, complaint investigations and monitoring

federal contractors. In addition, COs provide compliance assistance to community groups and federal contractors.

As used in this Manual, all references to the term CO include any OFCCP employee that is responsible for the tasks or activities described.

Compliance Review

A comprehensive analysis and evaluation of the hiring and employment practices of the contractor, including the contractor's written affirmative action program (AAP), and the results of the affirmative action efforts undertaken by the contractor. A compliance review may proceed in three stages: desk audit, onsite review and offsite analysis. See 41 CFR 60-1.20(a)(1), 60-250.60(a)(1), 60-300.60(a)(1) and 60-741.60(a)(1).

Conciliation

Efforts between OFCCP and a contractor to resolve findings of noncompliance.

Conciliation Agreement (CA)

A binding written agreement between a contractor and OFCCP that details specific contractor commitments, actions, or both to resolve the violations set forth in the agreement.

Construction Contract

Any contract for the construction, rehabilitation, alteration, conversion, extension, demolition or repair of buildings or highways, or other changes or improvements to real property, including facilities providing utility services.

Construction Site

The general physical location of any building, highway, or other change or improvement to real property which is undergoing construction, rehabilitation, alteration, conversion, extension, demolition, or repair and any temporary location or facility at which a contractor, subcontractor, or other participating party meets a demand or performs a function relating to the contract or subcontract. 41 CFR 60-1.3 (defining "Site of construction").

Construction Work

The construction, rehabilitation, alteration, conversion, extension, demolition or repair of buildings or highways, or other changes or improvements to real property, including facilities providing utility services. The term also includes the supervision, inspection and other onsite functions incidental to the actual construction. 41 CFR 60-1.3.

Constructive Discharge

The involuntary resignation of an employee as a result of an employer making the employee's working conditions so intolerable that a reasonable person would have felt compelled to resign. OFCCP will find that an employee was constructively discharged in violation of the Executive Order 11246, Section 503 or Section 4212 when it finds that: 1) a reasonable person in the employee's position would have found the working conditions so intolerable as to compel resignation; 2) the employer's conduct created the intolerable conditions and was motivated by retaliation, or based on race, color, sex, religion, national origin, disability or status as a protected veteran; and 3) the employee's involuntary resignation resulted from the intolerable working conditions.

Continuing Violation

A continuing violation may be found to exist when it is determined that multiple related actions comprise a single act of discrimination, e.g., a hostile work environment or a contractor maintains over time a discriminatory policy or system. A continuing violation exists where: 1) at least one of the actions occurred within the liability period and the other actions are related or so similar in nature as to show a pattern or practice of employment discrimination; or 2) the contractor maintains a discriminatory policy or practice into the liability period. Continuing violations may be, but do not have to be, systemic in nature.

Contract

See definition under "Government Contract" or "Subcontract" or "Federally Assisted Construction Contract" as defined below.

Contract Cancellation

The termination of a federal contract before its expiration date by order of the appropriate government authorities. Contract cancellation is one of the sanctions authorized, in appropriate cases, for violations of the EO 11246, Section 503 or Section 4212. Compare with "Debarment" and "Contract Suspension."

Contract Suspension

The temporary interruption of a federal contract by order of the appropriate government authorities. Contract suspension is one of the sanctions authorized, in appropriate cases, for violation of EO 11246, Section 503 or Section 4212. Compare with "Contract Cancellation" and "Debarment."

Contracting Agency

Any department, agency, establishment or instrumentality of the United States (under Executive Order 11246, limited to the Executive branch of the government), including any wholly owned government corporation, [that enters into a Government Contract or

EXHIBIT B

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1 JUDGE GERAGHTY: So I have just a question. Does the
 2 government agree that if you were not successful in
 3 establishing an underlying violation occurred during the audit
 4 period, that's the end of it? You don't get to then try to
 5 establish a later? Because isn't your continuing violation
 6 based on an initial violation during that audit period?
 7 MS. LAWSON: It is, Your Honor. It is based on that.
 8 I think the only clarification I would say is, again, the
 9 testimony of our expert, which they are going to have. They've
 10 got the original report, the rebuttal. They're going to get
 11 another one based on their more recent. They're going to get a
 12 deposition. All of that. It's going to be our expert's
 13 testimony about that violation, yes. If our expert -- if you
 14 do not believe our expert's testimony --
 15 JUDGE GERAGHTY: Correct.
 16 MS. LAWSON: -- and there was no violation during
 17 that period --
 18 JUDGE GERAGHTY: There is no continuing violation.
 19 MS. LAWSON: -- there is no continuing violation.
 20 Correct, Your Honor.
 21 JUDGE GERAGHTY: All right.
 22 MR. BELLO: With due respect to Ms. Lawson, she's
 23 wrong. Mach Mining is not as a matter of law applied to OFCCP.
 24 There's a different term, okay? It's a different context.
 25 Reasonable is the term used under this statute, okay? And in

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1 fact, I read Mach Mining before I came over. They actually put
 2 in quotes, okay, the word that's used in Mach Mining which I'm
 3 sorry, I'm losing, but it was --
 4 JUDGE GERAGHTY: Endeavor.
 5 MR. BELLO: Endeavor. And they are -- the fact that
 6 EEOC standards are used as guidance and direction in OFCCP
 7 cases, no one disputes that. That doesn't mean it gloms on
 8 completely four square. They are two different laws. And they
 9 do arise fundamentally in different circumstances. EEOC arises
 10 in many individual cases, on occasion systemic cases, usually
 11 complaint driven. OFCCP cases, most of them arise out of an
 12 audit. It is not a footnote. It's not a "you get your day in
 13 court," that a contractor is by their own regulations and
 14 guidelines required to get certain information. It says it
 15 right in there. I quoted it earlier. So it can make a
 16 judgment about whether or not to fight, to settle, to try to
 17 convince them. It is not a footnote that we did not get the
 18 regression and we did not get any anecdotal evidence.
 19 Even after, one of the things that's been alleged is
 20 that there were comments and reviews. They use the word
 21 "likability," but basically teamwork. And somehow these
 22 comments were made more about females than males, which is
 23 actually factually not correct. But that was known. You've
 24 got the interviews. They're done in 2012. You've got an NOV
 25 that's issued in December '14. You've got a show cause --

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1 January. You've got a show cause.
 2 JUDGE GERAGHTY: Okay, but you know -- you obviously
 3 know this anecdotal evidence at this point, right?
 4 MR. BELLO: But the fact is --
 5 JUDGE GERAGHTY: Then your argument is you needed to
 6 know it --
 7 MR. BELLO: Sure.
 8 JUDGE GERAGHTY: -- prior to the notice of violation
 9 or else they can't raise it now.
 10 MR. BELLO: Absolutely. But also, it undermines
 11 what's the purpose of a conciliation if we don't have the
 12 information? It's not a footnote that Analogic has spent a
 13 small fortune to defend itself here for its day in court, okay?
 14 It shouldn't -- it should have had the information so it could
 15 have meaningfully conciliated and made a judgment whether it
 16 would be here or would settle. It didn't get that opportunity.
 17 And even after, what's stunning to me is in July of
 18 2015 when they amend the show cause, they don't add anything to
 19 it, okay? So it is -- and certainly we have the deposition --
 20 one of the issues that I don't understand why they filed this
 21 now because we had depositions. And I know you don't want more
 22 paper, but it's material on this issue. Ms. Aubin-Smith
 23 testified about the conciliation. She testified about the
 24 phone calls. She testified that Analogic specifically asked
 25 for the database so it could replicate to try to make a

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1 judgment as to whether it should settle.
 2 Mr. Frye will testify that had they got that and it
 3 showed a problem, they would have tried to fix it. So it is
 4 not a footnote. It's very meaningful, okay, to have that.
 5 It's not endeavor. Those words have to have meaning. And to
 6 file a Motion for Summary Judgment, in the end there may be a
 7 summary judgment the other way on this issue, that they failed
 8 to conciliate and the case cannot go forward, all right?
 9 That's a legitimate issue. It's not ripe because we have to
 10 finish the discovery. But the notion that this doesn't matter
 11 from a conciliation perspective is fundamentally at odds with
 12 the guidelines, which actually link. They link.
 13 JUDGE GERAGHTY: So let me ask a question --
 14 MR. BELLO: Sure.
 15 JUDGE GERAGHTY: -- Mr. Bello, just to follow that
 16 reasoning a little bit. Supposing you had gotten everything
 17 you say you need in terms of the dataset.
 18 MR. BELLO: Yeah.
 19 JUDGE GERAGHTY: And you know, you still weren't
 20 able, you still didn't agree. I think we'd still be here
 21 today. And I think we'd still be here today because at least
 22 what you're telling me is that your labor market expert and the
 23 government's labor market expert don't agree on their analysis
 24 right now. Is that --
 25 MR. BELLO: No, I actually don't think that's a

1 interested?
 2 MR. BELLO: At this juncture, that's correct.
 3 JUDGE GERAGHTY: That's fine. Okay. So we'll
 4 proceed. All right. Thank you all very much for your
 5 presentations.
 6 MS. LAWSON: Thank you, Your Honor.
 7 JUDGE GERAGHTY: And I will try to get these orders
 8 out as soon as I can. Thank you.
 9 MS. LAWSON: Thank you.
 10 MR. BELLO: Thank you.
 11 (Whereupon, at 2:44 p.m., the hearing in the above-
 12 entitled matter was closed.)
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1 C E R T I F I C A T E
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 3 This is to certify that the attached proceedings before the
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 5 Administrative Law Judge Colleen A. Geraghty, Boston, MA
 6 Insert Title of Officer Name and Office
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 8 In the matter of: Office of Federal Contract Compliance
 9 Programs, United States Department of
 10 Labor v. Analogic Corporation
 11
 12 Case/Docket Number: 2017-OFC-00001
 13
 14 Place: Boston, MA
 15
 16 Date: June 27, 2017
 17
 18 were held as therein appears, and that this is the original
 19 transcript thereof for the files of the Department of Labor.
 20
 21 Free State Reporting, Inc.
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 24 By _____
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EXHIBIT C

**UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES**

**OFFICE OF FEDERAL CONTRACT
COMPLIANCE PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR,**

Plaintiff,

v.

ORACLE AMERICA, INC.

Defendant.

**OALJ Case No. 2017-OFC-00006
OFCCP No. R00192699**

**DEFENDANT ORACLE'S
INTERROGATORIES, SET TWO
AND OFCCP'S SUPPLEMENTAL
RESPONSES THERETO, JULY 5, 2019**

The United States Department of Labor, Office of Federal Contract Compliance Programs (“OFCCP”), by and through the Office of the Solicitor, hereby submits its supplemental objections and answers to Defendant Oracle America, Inc.’s Interrogatories, Set Two.

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GENERAL OBJECTIONS

1. OFCCP objects to each of Defendant's Interrogatories to the extent that they seek information subject to any privilege, including but not limited to: the attorney-client privilege, common interest doctrine, and attorney work-product doctrine; the government's deliberative process privilege; the governmental privilege for investigative files and techniques; the government's informant privilege; trial preparation privilege; or any other privilege or exemption provided by the Rules of Practice, Federal Rules of Civil Procedure or Evidence, or the common law.

2. OFCCP objects to each of Defendant's Interrogatories to the extent that they seek any documents or information that is irrelevant or otherwise beyond the scope of discovery permitted in this proceeding.

3. OFCCP objects to the "DEFINITIONS AND INSTRUCTIONS" section as containing vague, ambiguous, and unintelligible definitions, and seeking to impose additional requirements on OFCCP that exceed and/or are inconsistent with the Federal Rules of Civil Procedure, 29 C.F.R. Part 18, and 41 C.F.R. 60-30.

6. OFCCP objects to each of Defendant's Interrogatories to the extent they seek discovery that is not proportional to the needs of the case. Proportionality includes the parties' relative access to relevant information. Fed. R. Civ. P. 26(b)(1).

INTERROGATORY NO. 49:

Describe in detail ANY anecdotal evidence of discrimination YOU contend supports ANY allegation in the Second Amended Complaint.

RESPONSE:

OFCCP incorporates the general objections stated above, and further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, the common interest doctrine, attorney work-product doctrine, the government's deliberative process privilege, the governmental privilege for investigative files and techniques, the government's informant privilege, the trial preparation privilege described in Rule 26(b)(3) of the Federal Rules of Civil Procedure, or exemption provided by the Rules of Practice, Federal Rules of Civil Procedure or Evidence, or the common law.

OFCCP objects to this interrogatory because by Interr. No. 34, Oracle had already asked the equivalent of 25 interrogatories in that its previous interrogatories (Interr. 26-33) contained three subparts each. As such, Oracle exceeded the number of interrogatories that it can make without a court order.

Subject to and without waiving the foregoing objections, OFCCP answers as follows:

OFCCP further responds that it conducted a compliance review of Oracle's headquarters in Redwood Shores, California consisting of a comprehensive analysis and evaluation of Oracle's hiring and employment practices. OFCCP has produced its investigative file for Oracle HQCA, OFCCP Case No. R00192699 and has described with specificity which documents from that file contain anecdotal evidence of discrimination in its initial and supplemental response to Oracle's First Set of Interrogatories (as amended), Interr. No. 24.

Specifically, anecdotal evidence of discrimination can be found in the following documents:

- Wage determination memos contained in the Labor Condition Applications (“LCAs”) that Oracle provided for employees working under H-1B status at BSN DOL 6523-6620, 6689-6715, 7261-8040, 8100-12674, 33204-35301.
- Information contained in personnel files at BSN DOL 30664-31981.
- Interviews of Oracle personnel at BSN DOL 507-904, 36573-806, 39030-37, 39151-73.
- Oracle’s correspondence, including e-mails, providing or explaining its policies or submissions at BSN DOL 926-31, 943-54, 987-1006, 1027-30, 1031-34, 1053-58, 1087-91, 1093-97, 1128-34, 1143, 1174-76, 1180-84, 1193-1204, 1212-13, 1233-34, 1237-40, 1243-46, 1322-23, 1327-45, 1350-58, 1362-66, 1395-1406, 37175-78, 37528-33, 38548-57, 38673-77, 38764-67, 38876-95, 38898-906, 39128-29.
- Oracle’s AAP at BSN DOL 4377-4710, 32150-52, 31982-98, 31999-32132.
- Information in complaints against Oracle BSN DOL 37732-42.
- Facts in the articles and filing at BSN DOL 37746-47, 37792, 37795-99, 37803-04, 37809-10, 37818-25, 37827-34, 38754-55, 39442-43, 39446-39790, 39832-74 and at the following

URLs:

- <http://www.oracle.com/us/corporate/press/executives/016380.htm>;
- <http://www.thehindu.com/business/Industry/new-oracle-chiefs-kerala-roots/article6775912.ece>;
- <https://www.oracle.com/corporate/citizenship/workforce/diversity.html>;
- http://guestworkerdata.org/wp-content/uploads/2014/02/H1BNationalFactsheet11_13_13FINAL.pdf;
- http://www.lpfi.org/wp-content/uploads/2015/04/code2040_lpfi_final.pdf;
- <http://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/H1B/h1b-fy-12-characteristics.pdf>;
- <http://www.nytimes.com/2015/11/11/us/large-companies-game-H1B-visa-program-leaving-smaller-ones-in-the-cold.html>;
- http://www.nytimes.com/interactive/2015/11/06/us/outsourcing-companies-dominate-h1b-visas.html?_r=0;

- http://www.nytimes.com/interactive/2015/11/06/us/outsourcing-companies-dominate-h1b-visas.html?_r=1;
- <http://www.epi.org/press/1b-visa-program-attracting-brightest-workers/>;
- <http://www.epi.org/files/2013/outstanding-talent-high-skilled-immigration.pdf>;
- <http://www.eeoc.gov/policy/docs/national-origin.html>;
- <http://www.eeoc.gov/eeoc/newsroom/release/8-28-14.cfm>;
- https://blogs.oracle.com/campusrecruitment/entry/my_journey_from_college_to
- <https://www.sec.gov/Archives/edgar/data/1341439/000119312514251351/d725622d10k.htm>;
- <https://www.usatoday.com/story/tech/2014/10/12/silicon-valley-diversity-tech-hiring-computer-science-graduates-african-american-hispanic/14684211/>;
- <http://www.sfgate.com/bayarea/article/Oraclescozinesswithgovernmentgoesbackto2820370.Php>;
- <https://www.eeoc.gov/eeoc/statistics/reports/hightech/>;
- https://c.ymcdn.com/sites/ascendleadership.site-ym.com/resource/resmgr/Research/HiddenInPlainSight_Paper_042.pdf;
- <http://www.cxotoday.com/story/why-india-is-becoming-so-important-for-oracle/>.

The evidence used at the hearing may rely on different facts and different anecdotal evidence than which is identified in response to this interrogatory. Discovery is ongoing and OFCCP will supplement this response as appropriate.

SUPPLEMENTAL RESPONSE:

Subject to and without waiving the foregoing objections and notwithstanding the foregoing, OFCCP notes it is still (1) waiting for all of the updated databases from Oracle covering the whole period of this suit, (2) reviewing documents produced by Oracle, (3) taking depositions of Oracle employees and (4) developing the statistical model it will rely on at the hearing in this matter. For example, Oracle produced 5,263 database files having tens of millions upon tens of millions of data points on May 30-31, 2019, and another 815 database files on June 7, 2019, having additional millions of data base points. Moreover, Oracle’s counsel, Kathryn Mantoan, identified in a June 28, 2019, e-mail that Oracle, as of that date, had not produced all of the databases requested by OFCCP. Additionally,

Oracle has produced over 183,735 pages of documents in May and June 2019. Further, on July 3, 2019, Oracle produced more than 40,000 additional documents. These large productions are significant because Oracle's interrogatories are so broad so as to not only include the facts that OFCCP knew at the time it filed the Second Amended Complaint ("SAC"), but the facts contained in any of the documents and data files that Oracle produced to OFCCP at any time in this litigation and any depositions that OFCCP took in this matter to include those that Oracle produced or that OFCCP took from May to June 2019 or will be taking in July 2019. As such, OFCCP will likely be supplementing its responses to this interrogatory.

Additionally, OFCCP notes that in its diligent and reasonable efforts to comply with the court's order and review massive amounts of data and documents produced by Oracle it conducted searches using relevant terms. OFCCP made these searches into batches of documents that Oracle produced, but OFCCP has not fully reviewed. OFCCP tried to thread the needle to identify as many of the documents containing relevant facts as possible while at the same time not overly identifying documents that may have included the search terms but are not relevant. However, even with this effort, there will likely be documents that should have been included but were not and documents that should not have been included but were. However, this problem is not new to Oracle since it experienced it itself when it produced many pages of documents dated prior to January 2017 in 2019 that were responsive to OFCCP's first two RFP sets like compensation training and guidelines and it also produced many documents that were not responsive to any of OFCCP's RFPs like those pertaining to veterans and disabled persons.

Lastly, this request asks OFCCP to "describe in detail ANY anecdotal evidence of discrimination." To ensure that it "describe[s] in detail" the "ANY" anecdotal evidence requested, OFCCP will err on the side of caution and will include facts that give this anecdotal evidence context. The anecdotal evidence and their related facts known to OFCCP at the time it filed this supplemental response to this interrogatory are as follows:

The following summaries contain all of the facts OFCCP has learned through its contacts with confidential third parties, especially current and former Oracle employees. These summaries do not make reference to any individual's self-identification of their race as that information, along with the facts summarized, can be used to readily identify the individual current or former employee. OFCCP has not determined who it will call as a witness. OFCCP considers Oracle's current and former employees who have contacted the government confidential informants until they are identified as witnesses.

Employee 1 is a female individual contributor who was laid off from Oracle. She worked in in Product Development. She requested and received a raise upon relocation to match the salaries in her new location. However, she had learned through job requisitions posted at work that she was making less than new hires. She discreetly asked HR if her salary was reasonable for the area; and was refused an answer. HR also notified her manager of her inquiry, and he reprimanded her. She thinks this effected the ratings she received in subsequent performance ratings. She requested a promotion that was initiated but then delayed, and she was then told to work on a different project and ultimately laid off. Her understanding is that promotions and salary increases are independent. Her team discussed pay and the understanding was that the only way to get higher pay was to leave and then get rehired. She also perceived that a more flexible schedule could be used as a tradeoff for a lower salary. She did not hear that she was paid less than men or white employees. She was not called any derogatory names at work.

Employee 2 was a white female individual contributor working in Product Development. She had the same job position the whole time she was at Oracle. At time the of her interview Oracle asked her multiple times about what salary she earned at her prior job and offered her only a small amount more than what she earned at her prior job. The job she started after leaving Oracle paid her about \$80,000 more to do the same work that she did at Oracle and gave her better stock options. Oracle never informed her what her individual contributor level was, or how the individual contributor number related to her pay. She never received a performance review or pay increase, though she asked her manager every year about how she was doing and whether there were opportunities for increased pay. She said that there had been buzz for years amongst Oracle's female employees that women were steered into lower-paying job positions. She said that everyone else in her job position was a man and that at some point she found out that the men were earning significantly more than her and that men who were offered starting positions were being paid more than she was. She also said that she experienced subtle discrimination, such as men making disrespectful comments during meetings, or men claiming her ideas as their own during meetings. She complained to her manager about these behaviors, but nothing happened. She said that her work schedule had her constantly on call, but she had children and experienced negative feedback when she had to take time to take care of her family. She had heard comments at work about how women with children are not as committed to their jobs.

Employee 3 was a female individual contributor who was laid off from Oracle. She believes that she was the only woman doing what she does to be laid off. She worked in Product Development. She never asked for a raise or received one. Oracle never promoted her. She received appraisals, but was told that they were not connected to raises. There were managers who were resistant to unconscious bias training. She was not called derogatory names at work.

Employee 4 is a female individual contributor who was laid off from Oracle. She worked in Product Development. She asked for raises numerous times. After her company was acquired by Oracle, she received the same pay as before at Oracle. She received a raise once after she complained that a new hire, a college graduate whom she trained, would have been hired at a higher pay rate. When laid off, she discovered that a male colleague hired less than a year after her was making more than \$20,000 more than her. She received annual performance reviews. She was not called derogatory names at work.

Employee 5 was a male individual contributor, but he no longer works at Oracle. He worked in three roles in Product Development. Oracle was asked him during his phone interview for his prior pay, and because it was the same as his original offer, he received a higher initial salary. He received one raise that he requested. When he was offered the job, Oracle told him there was a bonus structure as a certain percentage of pay, but he did not get it when requested, and later got a smaller amount than previously indicated. He received no promotions, and was told it would take at least 10 years. Performance appraisals were very rare and he only received one review. His manager mentioned – and it was generally understood – that individuals transferred from India received lower pay comparatively. Otherwise, people generally did not discuss pay. He was not called any derogatory names at work.

Employee 6 is a male individual contributor in Product Development, but has reports. Oracle discussed his prior pay during the interview process. He received multiple raises. However, his female colleague only received one raise working at Oracle. He has not received performance appraisals. He has talked to coworkers about getting raises, but they do not talk actual numbers. He was not called any derogatory names at work. He has heard derogatory remarks about Asians. He also noted that the upper level management are white and the lower level employees are typically non-white.

Employee 7 is a female who formerly worked in human resources. She did not think Oracle engaged in unlawful employment practices.

Employee 8 is a female individual contributor who has worked for Oracle on more than on occasion. She received regular appraisals. She has received raises. She has not been the subject of any derogatory comments at work. She is familiar with a slang term to refer to a certain group of Asian employees at Oracle.

Employee 9 is a female individual contributor in IT. She was a manager for a period of time, but went back to being an individual contributor. When she was hired, Oracle asked about prior pay. She believes it was used to set her salary. She thinks that she was paid below the band for her position. Although she never specifically asked for a raise, she has asked about pay and asked about whether a lateral move within Oracle could improve her pay. She was told the only way to get a raise is to leave the company and come back. She has not been called any derogatory names at work.

Employee 10 is a female individual contributor who works in Product Development. She has been promoted once while at Oracle. She believes she has been underpaid since she was hired. She knows male colleagues with less experience that are making more money than her. She was not able to negotiate her starting salary. She does not recall if prior pay information was requested during the hiring process. She has discussed her salary concerns with her colleagues, and there is a general sense that Oracle relies on prior salary to determine initial offers and raises. She has requested multiple raises while at Oracle, but has only received a few, most of which were minor. She has complained about her salary to management. She believes that Oracle does not take her complaints seriously, and is afraid that they may terminate her for complaining. A male manager once dismissed her professional opinions in a manner she thought was sexist. Male coworkers have also told her to smile, which she thinks has sexist undertones.

Employee 11 is a former HR Manager. She was once at a meeting attended by top Oracle management and executives, where one Oracle executive told another that he should hire a woman, because a woman will work harder and you can pay her less. She remembers this statement, because she was stunned. She's also heard people in HR say, "You can get four Indians for the price of one." An outside consultant, who works with HR groups at many companies, told employee 11 that Oracle's head of HR was very tactical, but not strategic. Oracle's top executives are not leaders in the HR space. Fairness and equity in approach were not a priority. Oracle is a tough environment, not human centered or employee-centered. Performance reviews were not given consistently, and Oracle did not require them for salaries or bonuses. Oracle is a male-dominated culture and environment – Oracle Open World, sales meetings in Vegas, dinner and drinks with meetings, Larry Ellison's big jets and yachts. It impacts the tone and culture of the organization. Oracle also permitted bullying behavior, allowing men who bullied women to stay in their positions. Oracle is slow to give people pay or the title for the job they are doing. There was a lack of transparency in compensation. Employee 11 wasn't told not to discuss salaries, but it wasn't done. She could see salary ranges only up to the level she was at. She only saw the budget allocated to her to distribute for bonuses or salary. She had no insight into the greater budget. Such information was not available to her.

Employee 12 is a female individual contributor who works in Product Development. She came to Oracle when Oracle acquired the company she worked for. She heard that Oracle discussed the prior pay of the employees in her group during the acquisition. They originally offered her less pay when lateraling over and tried to pay her hourly. It was eventually changed and they transferred her title, but she did not get an increase in pay for several years. She is not sure if anyone on her team got promotions because she doesn't have any visibility into that. She has talked to other team members about pay. They have complained about their pay but are actually made more than her. She has not asked for a raise because of the staff reductions. She has had performance appraisals in the past. Since they are not giving raises, her supervisor does not seem interested in giving appraisals. She was never degraded at work for being a woman. Having children was not mentioned as a reason for not getting a pay increase.

Employee 13 is a male individual contributor in Product Development. He was hired as a college recruit. He received small raises while working for Oracle. He was not offered stock options. If he received a bonus, he did not receive a raise that year, and vice versa. In order to get a larger raise, he had to ask his supervisor. He was promoted a couple of times during his employment at Oracle, but not as much as he wanted. He discussed a promotion with his supervisor and assembled the right documentation, but he was not promoted at that time. Raises were not tied to promotions. He did not receive regular performance reviews, and had to ask his supervisor for them. He heard a white employee make racist comments at work.

Employee 14 is a male who worked as an individual contributor in Product Development. Oracle recruited him from another company, but gave him a job offer for a position lower than the one to which he had applied. He and coworkers did not discuss their salaries. He asked for raises and received a couple. He was transferred to a different team and did not receive a promotion. He did receive race-based derogatory comments. Oracle laid him off.

Employee 15 is a female IT manager. Oracle asked her about prior pay during her interview. She received a few small raises but never asked for one because she knew it wouldn't happen. She believes raises are not merit based but depend on whether your individual manager likes you. She heard of an employee who asked for a raise and was told to leave the company if the employee didn't like their salary. She does not know what her peers are paid. One time when her manager wasn't happy with a project she did, he said loudly and in front of her team that if he had given the job to a man it would have been done right. Another time she was in her manager's office and he pointed to a box of Kleenex on his desk and made a comment about female employees like her needing it.

Employee 16 is a female in Product Development. She requested raises that were not received or took a very long time to get. She believes males received raises faster. The employee review process is ad hoc. HR is reluctant to provide any information for an employee to determine how their pay compares to others and will only provide vague information. She believes that her maternity leave may have set back her career for several years because after taking it she was not taken seriously. When a male was promoted, there was much accompanying fanfare. However, when a female was there wasn't even an announcement.

Employee 17 was a female manager in Product Development for many years. She received a promotion but felt underpaid her whole career. She does not know how her wages compared to others during her employment at Oracle. She was never given an annual performance review, although she was sometimes asked to complete self-appraisals. She heard that bonuses and raises were sometimes allocated based on who managers would "save" first in a lifeboat hypothetical. She was not called any derogatory names at work.

Employee 18 is a female who became a manager in IT. When she left Oracle, her new hires earned more than she did because her pay increased in such small increments. She did not talk about pay with coworkers, but she asked for a raise many times. She described Oracle's culture around pay as being very secretive. She also thought that if you stay at Oracle a long time, your pay does not keep up with the market and you can't negotiate a higher pay. She was not called any derogatory names at work.

Employee 19 was a female individual contributor in Product Development. She had difficulty receiving promotions and raises while she worked at Oracle. Her salary was only slightly above what Oracle paid to college recruits, even though she had significantly more experience. She earned less than a white female employee whom Oracle hired at the same time, even though she had more experience and greater job responsibilities than the white employee. Oracle passed her over for a promotion in favor of a male new hire with less experience. She did not receive any stock options or bonuses, but she was aware that male employees in her department received bonuses. She was not called any derogatory names at work.

Employee 20 is a female manager working in Product Development. She worked in multiple positions. Oracle asked about her prior pay during the interview, before an offer was made, and this informed her initial salary. She requested at least one raise that she did not receive. She was promoted a few times relatively early on without an increase in pay, but has not been promoted since then. At one point when she requested and was recommended for a promotion and raise, someone else in her management chain interviewed her and questioned her experience, but he did not ask to meet with men who were similarly up for promotions. She believes that this person will not promote women past a certain level, regardless of tenure. She was appraised on a yearly basis. She did not discuss pay with her peers. She feels it is generally understood that individuals on visas were paid less than citizens. She was not directly called any derogatory names at work.

Employee 21 is a male manager in Product Development. He received promotions while working for Oracle. He did not receive raises with promotions automatically, but he has received small periodic raises. Coworkers with fewer responsibilities received promotions before he did. He discussed raises and promotions with his supervisor, but any changes to his position or salary took a long time. He received a raise with his most recent promotion, but based on discussions with peers, he does not think he is paid at the same level. He was not called any derogatory names at work.

Employee 22 is a male individual contributor who worked in Product Development. He was hired when Oracle acquired the company he worked for. His starting pay was the same as at the prior company. A couple of years later he received a job title promotion but no pay raise. He asked Oracle for a pay raise, which was denied. He was then laid off in a matter of months. He never received any performance reviews. He and other coworkers of the same race all received the same pay, but he was aware of a white person who joined Oracle when he did, left, came back, and was offered a much higher salary than Employee 22, even though they had similar backgrounds. Once, his manager told him that Oracle was paying for his visa and green card application, that he should consider this to be part of his salary. He was told that he may get a raise after he receives his green card.

Employee 23 is a male former individual contributor in Product Development. Oracle asked about prior pay during his application process. He was also required to give Oracle proof of his prior pay. He held several different jobs at Oracle over his career there, but never got any promotions. He requested a raise many times, but only received one the entire time he was at Oracle. He believes that Oracle was taking advantage of his vulnerability as a visa holder by suppressing his pay. He heard the same from other employees. When he left Oracle for a different job his salary increased substantially.

Employee 24 is a female individual contributor. She has worked in both Support and Product Development. She has worked for Oracle on more than one occasion and in more than one position. She received an approximate 70% increase in pay from the time she left to when she returned to Oracle. She asked for raises many times, and received some small increases. She believes she is underpaid and that men are paid more than women. She has seen the W-2s of new hires, people she mentored, and they were paid more than she was. She was not called derogatory names at work.

Employee 25 is a male who was and individual contributor who no longer works at Oracle. He worked in multiple positions in IT and Product Development. He was laid off at one point and offered a lower salary upon rehire. He negotiated and ultimately received the same prior salary. This was lower than he requested, but he was told he would get the increase after a set period of time. It took even longer for him to receive a lower increase than indicated. He requested raises informally and did not receive them. He also received a promotion with no increase in pay. It was generally communicated that the company was not doing well enough to provide higher pay, and that his group was not performing well and only the top 20% of the company could get raises. When he transferred groups, he was improperly demoted. He did not receive regular performance appraisals, and said that pay was not tied to appraisals. In discussions with his peers about pay, it was speculated that their pay was lower than for people coming to Oracle via acquisition. He believes he was paid below market rate. He was not called any derogatory names at work.

Employee 26 is a male individual contributor who worked in Product Development at Oracle. Oracle asked about prior pay during the interview process. He requested raises but was only able to get a small one. He was aware that he was paid less than white male coworkers. He was not called derogatory names at work.

Employee 27 is a female who was an individual contributor who worked in Product Development and Support before being laid off. She worked on various teams while at Oracle. She was instructed not to discuss salary. She received a few small raises while she worked at Oracle. Toward the beginning of her career at Oracle she asked for raises and promotions, but gave up doing so during the latter part of her career there. A less talented male coworker was promoted over her. Oracle promised her a leadership position, but it never materialized. Instead, Oracle hired more male employees to do the work. She was asked to do a certain type of work, but Oracle managers refused to give her the resources to do it. She feels that she was given harder assignments, but not given credit for the work. She has a White comparator who used to make the same amount of money at the same global career level as her, but the White comparator surpassed her in both salary and promotions.

Employee 28 was a male individual contributor who worked in Product Development. He left Oracle for a job that paid about \$100,000 more in total compensation than Oracle. Oracle's recruiter was insistent in asking him for the pay he had earned at his prior job, even though Employee 28 was uncomfortable telling the recruiter this information. Employee 125 was offered only \$15,000 more in base salary than his prior job, with the promise of bonuses and stock options. Employee 28, however, never received bonuses, stock options, or any raises, so his salary remained the same after multiple years of employment. Oracle never told him what his individual contributor level was or how this affected his pay. Employee 125 asked multiple times for performance reviews but received none. He asked multiple times, both directly and indirectly, for a raise, but was never given one. No one at Oracle ever told him what he needed to do to get a pay increase, even though he asked numerous times. He also asked numerous times if he could be moved to more visible projects because he was informed the project he worked on was not a critical project, but was never given the opportunity. He was frustrated about the lack of clarity about what he needed to do to get a pay raise. He felt coerced into receiving lower pay because of his visa status.

Employee 29 is a female manager who was laid off from Oracle. She worked in one position in Product Development. Oracle recruited and hired her into a particular position, and she only learned indirectly after starting that she was actually in a lower position. She did not receive certain expected benefits as a result. She inquired with several people in management and human resources and was offered no resolution or even response, in some cases. Oracle asked for her prior pay during salary negotiations, which gave her a slightly higher initial salary. She never asked for a raise. Pay was never discussed on her team, and was considered an off-limits topic. She heard general concerns from others about Indian employees being paid less. She learned while still working at Oracle that they had hired a male replacement for her and offered him a significantly bigger compensation package. Her inquiries regarding her job status were not addressed. She was not directly called any derogatory names at work.

Employee 30 was a female individual contributor who worked in Product Development. She requested salary raises and has received a few small ones. She has heard rumors that some employees are getting salary raises, but is afraid she might get in trouble for discussing pay concerns more broadly. She has complained about not getting promotions and salary increases. Her recruiter asked her how much money she made at her previous job, and Oracle asked her to provide supporting documentation. She does not get a performance review every year. She has not been called derogatory names at work. She believes gender may play a role in why she does not get pay raises.

Employee 31 was a white female individual contributor working in Product Development. When she interviewed for the job, Oracle told her that she would be managing a team, but Oracle placed her in a job that included no management responsibilities. Oracle also gave her fewer responsibilities in her job placement than what she was promised in the interview. Oracle asked her during the interview for her prior pay and offered her the same starting pay, though she was able to negotiate an additional \$20,000. Employee 31 asked her manager multiple times for guidance how to improve, but her manager frequently cancelled one-on-one meetings and provided no performance reviews. Employee 31 said that most of the managers were white men and most of the lower level line engineers were Asian. Oracle refused to give her a benefit that all the other employees on her team received. She attributed the denial to the fact that she was a mom.

Employee 32 was a male manager in Product Development. He was laid off from Oracle. He was promoted several times and received raises while working for Oracle, however, it was difficult to get them. He complained to his supervisor about lack of promotion and low salary. He knew that he was underpaid because his salary was lower than the starting salaries of employees he hired. He was not called any derogatory names at work.

Employee 33 is a female individual contributor in Product Development who worked in more than one position at Oracle. Oracle discussed her prior pay during the interview process. Oracle provided pay raises. One raise was large and it is unclear as to why she received it. There was discussion between co-workers about pay. However, she did not discuss her pay. She heard from some coworkers that their number was the same and that others had less. She was not called any derogatory names at work.

Employee 34 was a former female manager in Product Development. She worked as an individual contributor in Product Development prior to her promotion to management. She received various promotions while working for Oracle, but they were not tied to her salary. She received raises, but not every year. She received positive performance reviews. As a manager, she had numerous direct reports. She attempted to drive and save some of the employees she supervised, but they often left Oracle because she could not offer them a competitive salary. An equivalent level male manager received a larger bonus/raise pool for his direct reports. She was instructed by HR not to advocate for raises on behalf of her reports. She was not called any derogatory names at work. She was aware of a female employee who was underpaid based on her level and performance. She also recalls a male employee who was promoted over a more qualified female employee. Her male manager did not credit her with certain accomplishments when she applied for a promotion.

Employee 35 is a female individual contributor in Product Development. Oracle asked for her prior salary when hired, but she requested a raise for cost of living. She and her coworkers discussed pay. She was told that there was only a limited amount of money for raises; she said she did not want to be considered for a raise. She did not ask for a raise because the implication was that there was only a small amount of money available and that by asking for a share she would be depriving her coworkers of money. She later learned that there was much more money allocated for raises, but it all went to one person. She did not receive a raise. A younger woman received a raise and a transfer because the boss had a crush on that employee. Another year, she was instructed not to ask for a raise because there was a pay freeze. During the next year, a male coworker had become abusive. She said she was unwilling to work with him again. After completing a project that had turned out well, she was placed on a PIP. She thinks it was in retaliation for requesting more money and reporting complaints about her abusive coworker. She thinks this because before receiving the PIP she had been the subject of a lot of praise. She thinks her manager was biased against her. She was also subject to a lot of sexual comments by a coworker at work.

Employee 36 is a female individual contributor who works in IT. She has held more than one position. When she asked for raises, her manager told her there was no budget. When she asked if there was anything she needs to improve or do better to get a raise, her manager would say she's doing a good job and that there was nothing to work on. She would talk about low pay with co-workers because they knew based on the market they were underpaid.

Employee 37 is a female employee who has worked in Product Development and Support. She became aware of discrepancies in pay of men and women once she was promoted; her male reports make much more than she does. New hires make far more than the people to whom they report. She was told her salary was lower because of the gap she took off work to have her son. It is common practice to ask women about time they took off to have a family. Oracle has dived and saved her multiple times, both resulting in promotions and pay raises. She has applied dive and save to several women and one male minority in her group because they are so underpaid. She requests raises, but does not always receive them. She received a performance review approximately every other year.

Employee 38 is a former individual contributor in Product Development. He believes that his pay at Oracle was determined from his previous pay with another company. He thinks this because when Oracle learned of his previous pay, it offered him a position with less pay than the position for which he applied. He was told that it was a violation of company policy to discuss pay with any colleague and he could be terminated if he discussed benefits with anyone. He knew he was underpaid, but did not discuss the issue with anyone around him. Before he left, he discussed his pay with co-workers off company property and learned he was underpaid. He asked for a raise many times and got very small incremental increases. He never received stock options. He received a little increase in pay before he left because his manager knew he was leaving. His manager tried to get him the raises, but upper management denied them. He was not called any derogatory names at work.

Employee 39 is a female individual contributor who works in Product Development. She wanted a raise and a promotion and was told that she would have to do promotion-level work for a year before getting the promotion, which she did. Her manager then requested the promotion, but it was denied. One of her managers told her that her pay was too low. He also gave her higher-level work, but she never received a promotion or a raise. She thinks that this may be in reaction to being a mother. She was not called any derogatory names at work or ever had anyone degrade her work because she is a woman. She was never told she was being paid less than men or whites.

Employee 40 is a Female former individual contributor in Product Development. She was not asked for prior pay when hired. Her offered salary was lower than what the recruiter promised. She did not ask for a raise. She did not talk about pay with her coworkers. When she became pregnant, her manager seemed unhappy and kept reminding her that she needed to get her work done. She said she was treated negatively during her pregnancy, as was another pregnant coworker on her team. She said that other women left the team due to how they were treated by the manager. She was replaced by a man when she left.

Employee 41 is a male individual contributor who worked in Product Development. He was laid off from Oracle. A White male coworker with less experience made more money than him doing a similar job. The White coworker was given work that had more exposure. It was not common for employees to discuss their pay at Oracle. Employee 41 received promotions while working at Oracle. He also received small raises. His manager told him he was paid on the low side. He heard that his coworkers made more money after they left Oracle. He worked for a female manager who he believes was pushed out. He has also worked for a manager who he believed had bias against certain groups of people. He had a hard time meeting with this particular manager. He made a complaint about this manager.

Employee 42 is a female manager in Product Development. She was hired as a college recruit. In her experience, raises are not connected to promotions, but are handled at different times. Oracle gave her a raise most years, but it all related back to her low starting pay. Oracle uses some raises to keep a person that has an offer from another firm. She had people working for her that left Oracle and came back in order to get a better salary. She realized how poorly she was paid when she participated anonymously in a blind application. She never asked about pay raises and most are afraid to ask. She was aware that in her group the one male was overpaid and the females were all underpaid, although she thinks men were also not always treated fairly. She describes a caste system of poor and excellent treatment for Indian employees depending upon where you fit in.

Employee 43 was a male individual contributor working in Product Development. He came to Oracle through an acquisition. Oracle did not change his pay after hiring him. He did not discuss his pay with his coworkers. He believes that a female coworker got a promotion when he did not. He received a promotion at one point, but no change in pay. He asked for raises, but did not get them. At some point he heard that he didn't get a raise because the money was used to increase the salary of an underpaid woman. He believes that a white male doing similar work to him got a promotion and a raise at the same time. Occasionally, he received appraisals. Employee 43 heard a manager say that Employee 37 was paid less than a white person doing the same job. He made complaints about pay at work. He no longer works at Oracle.

Employee 44 is a female individual contributor who worked in Product Development. She was laid off. She stopped getting raises after having a child. She asked for raises on multiple occasions. She believed that new college graduates made more money than she did. Her coworkers discussed pay only in vague terms. She heard that they got stock options when she didn't. She did not know how much others made. She received appraisals, but not regularly.

Employee 45 is a female individual contributor in Product Development. She has received a few small raises while working for Oracle, but they were usually several years apart. Oracle underpaid her compared to other employees in commensurate positions. A manager told her she would be promoted, but she was not. She has not received a performance evaluation every year. Some of her performance appraisals have been negative. When she changed groups, her manager tried to dive and save so she would stay in his group. There have been some recent changes to her pay and she does not know the reason. She was not called any derogatory names at work.

Employee 46 is a female individual contributor who works in Product Development. She worked for Oracle on more than one occasion, and in more than one position. Oracle asked her about prior pay during her interview. Employee 46 has not received raises while working for Oracle more recently. She has requested a bonus, but did not receive it. She does not discuss pay with coworkers. She has never received a performance appraisal.

Employee 47 is a male individual contributor in Product Development at Oracle. After the company he previously worked for was acquired by Oracle, he received the same starting pay he received at the prior company. He receives raises and performance reviews each year. He has heard that visa holders are paid less. He was not called derogatory names at work.

Employee 48 is a female individual contributor who works in Product Development. She was hired through the college recruiting program. She received one promotion and a couple of small raises, although she has asked her manager for a raise on multiple occasions. She does not know the salary of her co-workers, but has heard co-workers who have been at Oracle longer than her complain that there is discrimination in salaries. She does not believe she has experienced any discrimination.

Employee 49 is a male manager in Product Development. He was promoted several times during his employment at Oracle. He did not receive raises with promotions, but received small annual pay increases. His supervisor told him that raises were tied to his performance evaluation and company performance, but his supervisor did not give him a more specific explanation for how raises were determined. He did not discuss his pay with coworkers. He received annual performance evaluations. He was not called derogatory names at work.

Employee 50 is a male individual contributor in Product Development. He came to Oracle as a college recruit. He only received one promotion during his tenure at Oracle. He received yearly performance reviews and usually received a small raise afterwards. He thought the raises seemed below average. He thought that his coworkers earned much more, even though they did equivalent work. He did not discuss pay with coworkers. He was not called any derogatory names at work.

Employee 51 is a former female manager who worked in different roles in Product Development. She does not recall if prior pay information was requested during the hiring process. She did not discuss pay with her colleagues. She believed Oracle underpaid her and requested a raise multiple times. Despite her requests, Oracle did not give her a raise for years. She got annual performance reviews. She was not called derogatory names at work. She heard rumors that Oracle was paying a new male hire with less experience more than it was paying her. She believes she was not included in technical discussions because she is a woman.

Employee 52 is a female individual contributor in Product Development. She does not recall if prior pay was discussed during her hiring process. She regularly requests raises, but has only received a few small ones. She regularly receives performance reviews. She was not called any derogatory names at work.

Employee 53 is a female individual contributor who worked multiple positions in Product Development. She had a hard time getting promoted. She did not discuss pay issues with her colleagues. She requested pay raises, but Oracle rejected most of those requests. She did not get performance reviews every year. She has not been called derogatory names at work. She believes she was paid less for being a woman and that her managers gave better projects to men.

Employee 54 is a male individual contributor who worked in Product Development. He held the same Product Development job for the duration of his time at Oracle. He never received a promotion and received minimal raises. His managers did not tell him accurate information as to who was getting a raise. He never received performance reviews. Employee 54 said that the Asian workers knew Oracle paid them less than white workers and they would joke about being paid less. However, they didn't discuss their exact salaries with each other. He also discussed salaries with people at other companies and found out they were being paid more than him. Employee 54 experienced extra scrutiny of his conduct because he did not always speak English at work.

Employee 55 is a male individual contributor in Product Development. He never received a promotion during his Oracle career. He received several small raises, but he was not told why he received them. He did not think the raises he received were related to his performance appraisals. He did not discuss his salary with his coworkers. He was not called any derogatory names at work.

Employee 56 was a male individual contributor in Product Development. He was hired as a college recruit. He is not sure whether he had a performance review while at Oracle, but if he did, he was not made aware of the results. He never received a raise, but he had stock options. He was told by HR not to discuss his pay. His manager approached him with a dive and save before he left Oracle's employment. He was not called any derogatory names at work.

Employee 57 is a female individual contributor in Product Development who believes she is underpaid. She believes that employees across the board are underpaid because Oracle does not have much money and is not doing well. She has not had a raise returning from maternity leave. She has been promoted once and had received small increases in the beginning of her career at Oracle. She does not remember if her prior pay was requested during the interview process. She knows she is still not making any more money than what she made at her previous job. Her team has talked about their low pay and how only upper level staff get bonuses or raises. She has asked for a raise a few times, but did not receive one. She was told that her reduced hours affect her ability to get a pay increase. She does not receive performance appraisals. She believes that nobody on her team receives performance appraisals. She hasn't been told that she is being paid less than co-workers from other demographics. She has not heard derogatory comments at work.

Employee 58 is a male manager in Product Development. He was initially hired through acquisition. Oracle laid him off and when it re-hired him, it was at the same pay he earned prior to his layoff. He was told that because he was laid off for less than a year, his pay had to be the same. Upon re-hire, he had a lesser title than prior to layoff. He complained about this and it was corrected, but his pay remained the same. He received raises, but not every year.

Employee 59 was a male college recruit to Oracle and worked as an individual contributor. He received about a 25% salary increase when he started the next job after Oracle. While at Oracle, he asked for a salary increase every year, but only received very small raises with no stocks and bonuses, even though he worked at Oracle for multiple years. His manager told him that everyone was underpaid and he could not give Employee 4 a raise. Employee 4 received one promotion in which he moved up one individual contributor level. This promotion only came with a 1-2% raise, even though it also came with significant increases to his job duties. He said each year of new college recruits earned more than the year before, so incoming starting college recruits earned more than he did. He felt coerced into accepting lower pay because of his visa status. He heard a white employee was able to double his salary at Oracle by threatening to leave. He was not called any derogatory names at work.

Employee 60 is a former female individual contributor in Product Development. She did not discuss pay with co-workers. She requested raises at least twice, but not receive them, despite being told by a manager that a male employee was given a raise. She received annual reviews. Was not called any derogatory names at work.

Employee 61 is a former male manager who worked in Product Development. He came to Oracle through an acquisition. When promotions came up he would talk to HR about appropriate salary band. If he wanted to go above the band, he needed to get approval from higher-level managers. During focal reviews, he would go over his recommendations with his manager because he didn't not want his recommendations to be rejected. When it came to focal reviews, he could not go outside of the allocated amount. He was aware that prior pay was considered when setting pay for a new hire. He only makes the recommendation to hire; it must be approved by high-level managers before execution. He received regular appraisals. He did not hear any derogatory comments at work. He noticed that there weren't very many higher-level female managers and that certain races were underrepresented in management. With the exception of pay, he felt well treated at work.

Employee 62 was a female manager who was laid off from Oracle. She worked in Product Development. She received a very small raise while at Oracle. Sometimes pay was discussed and they were told that there was no money in the budget for raises. Performance reviews did not happen regularly. She was told to hire in India because three Indian workers could be hired for the cost of one US worker. Similarly, visa holders were cheaper to hire than U.S. workers. She was not called derogatory names at work, but previous supervisor told her that it was unacceptable to miss work due to a sick child.

Employee 63 is a female individual contributor who works in IT. She was asked about prior pay during her interview. She regularly asked for raises. She regularly received performance reviews. She thinks that coworkers also regularly received performance appraisals. She has not received a promotion while at Oracle. She does not discuss pay with coworkers. No one told her she made less than whites. No one called her derogatory names or degraded her work because she was a woman. She knows of coworkers making more money after they left Oracle.

Employee 64 is a female individual contributor in Product Development. She worked in more than one position at Oracle, and also worked for Oracle on more than one occasion. She felt pushed out the first time. She believes it was related to being a parent. She believes that male coworkers got promotions when she did not. Oracle gave male counterparts better opportunities to supervise. She received small raises while working for Oracle. However, she has participated in interviews for employees that will earn more money than her. She did not feel personally respected at Oracle. She also believes she didn't get the credit her work deserved. She was not called any derogatory names at Oracle.

Employee 65 was a female individual contributor in Product Development, whom Oracle laid off. She was subject to multiple derogatory comments about being a woman at work. Her boss told her he did not want to hire women who spend time with their kids. Her managers had a clear preference for men. She received small raises while at Oracle. She is aware of new hires making more than her despite the difference in experience. She did not receive performance reviews, despite requesting one.

Employee 66 is a male individual contributor working in Product Development. His salary has not changed in the five years he has worked at Oracle even though he has asked multiple times whether and how he could get a raise. He said that he does not get performance reviews so there is no way to prove to his boss that he is advancing. He says he was given a job at a low individual contributor level and even though he does work of a much higher individual contributor level he cannot internally transfer to a job with a higher individual contributor level because his current level is so low. When he was hired, Oracle did not explain to him what the individual contributor level was or how it related to pay.

Employee 67 was a female individual contributor in Product Development. For her entire employment, her compensation was flat. She was praised for her good work and got a promotion, but never got a pay increase. She was given favorable reviews, but it seems like it didn't mean much and no one was paying attention. Her colleagues were also frustrated about pay. She asked for raises but her supervisors told her they would have to talk to top management. She left Oracle and has approximately doubled her pay when she was hired at her new job doing similar work.

Employee 68 was a female in Product Development. Oracle asked about her prior pay during her interview, but she was not required to provide supporting documentation of pay. She received promotions, but they did not come with raises. She asked for raises, but never received one; she was told the budget was too low for raises. She discussed pay and mostly whether raises were coming, with co-workers. She believes that men made more than women, but she has no evidence. She received annual performance reviews and completed self-appraisals. She was not subject to derogatory remarks.

Employee 69 is a female manager in Product Development. She has also worked for Oracle as an individual contributor. She worked for a time in IT. She was not asked about prior pay. She did not discuss her pay with her coworkers. She got raises from time-to-time. She has not been called any derogatory names at work.

Employee 70 is female individual contributor who worked in Product Development. After leaving Oracle, she received over \$50,000 increase in salary and got a significant signing bonus at the next job. She believes that Oracle backdated her visa, which affected her wage rate. She received at least one promotion while working for Oracle. She also received small raises. She received regular reviews after completion of a project, but not formal appraisals. She was not called any derogatory names at work. She does not know if having children hurt her chances of promotion.

Employee 71 is a female individual contributor, who has worked in multiple positions at Oracle. She has worked for Oracle on more than occasion. She ended up returning to Oracle because she worked for a company that was acquired by Oracle. She only received small raises. She does not always receive a yearly performance review. On one occasion, she requested a change to her IC level, but Oracle never followed up. She feels like she is being underpaid but is not sure because she does not know what others are making.

Employee 72 is a female individual contributor in Product Development. Her promotion was delayed until a male counterpart could receive the same promotion. Her promotion was delayed even though her work was recognized as superior to a male who held a higher-level position. She received raises but did not discuss pay with coworkers. She was not directly called derogatory names at work, but heard comments made about women in general.

Employee 73 is a male manager in Product Development. He came to Oracle through an acquisition. Prior pay was not requested at his hire, but he thought that Oracle would have access to that information through the acquisition. He was paid the same amount as he made at the acquired company. He believes he is paid less than other managers doing the same job as him. He received promotions while working at Oracle. He also received small raises. More often than not, he received performance appraisals. He thinks other individuals he worked with got an appraisal every year. He has never been called a derogatory name at work. No one told him he is paid less than white coworkers. He believes he is underpaid. He believes that salary information is kept too secret at Oracle.

Employee 74 is a male individual contributor in Product Development. He does not remember if prior pay was discussed during his interview process. He showed a competing offer to get a higher initial pay. He was initially brought in at a higher title and then asked to reapply to a lower title. He received small pay increases yearly in the beginning of his career. He did not ask for a raise but received larger increases when he showed his competing offers. He received one promotion and had performance appraisals yearly. He did not discuss pay with his co-workers, but was aware that they had performance appraisals in about the same frequency as him. He was never told that there were any pay differences due to different demographics.

Employee 75 was a male individual contributor who worked in Product Development. He was laid off from Oracle. He was not asked about prior pay during the hiring process. He received small raises while working at Oracle, and at least one promotion. He was not called any derogatory names at work.

Employee 76 is a male individual contributor in Product Development. He received several raises and one promotion while working for Oracle. He received a raise and a promotion from a dive and save when he told his manager that he had received an external job offer with higher pay. He had asked his supervisor for a raise but he did not receive one until he received the outside offer. He believes he is still underpaid, although he earns more than his peers. He and his coworkers discuss their salaries. He has not received yearly performance reviews. He asked for a performance review knowing that that was how you got raises but his manager would not give him one. One of the female employees on his team, who started at the same time as he did, never received a promotion or a raise. He was not called derogatory names at work.

Employee 77 was a male individual contributor in Product Development. He came to Oracle through an acquisition. He frequently asked for raises but did not receive them. He had annual reviews and he was always a top performer. He was aware of new college recruits earning more money than him. There was an attempt to do a dive and save, but he left and is now making three times more than at Oracle. He was not subject to derogatory remarks.

Employee 78 was an individual contributor who worked in Product Development. She was hired through the college recruiting process. She did not discuss pay with coworkers because she was told it was confidential. She observed that in her group, males got promotions more frequently than females. She also saw that males got better projects. She left and her salary increased 30% doing the same work at her next job.

Employee 79 is a male manager currently working in Product Development. He has worked in multiple roles in different Oracle locations, including abroad. He has received several raises and promotions. At one point, he received an extra payment because he and several teammates were not making enough money. When he requested a promotion to a management role, the request was not acted upon until he found a job in a different unit within Oracle. He perceives that there is a compensation gap – including bigger raises and more promotions – between different geographical locations.

Employee 80 is a male manager currently working in Product Development. Oracle hired him into a lower global career number than to what he applied. He has received small raises fairly regularly. He receives regular performance evaluations. He has not been called any derogatory names at work. He has the impression that Oracle believes it can exploit Asians.

Employee 81 is a female individual contributor in Product Development. She asked for raises and received small ones. She no longer receives annual performance reviews. She believes she is underpaid and that male employees at her level are paid much more. She was not called derogatory names at work.

Employee 82 is a female individual contributor in Product Development. She came to Oracle through an acquisition. She worked in more than one position. She complained about pay to her manager. Her manager looked into bringing her up to market, but was told that as long as she was on the scale, it was okay if she was on the lower end. She received small raises while working for Oracle. She did not receive performance appraisals. No one told her that she earned less than men or white employees. Oracle expressed frustration with her childcare obligations. She was not called any derogatory names at work.

Employee 83 is a male individual contributor who works in Product Development. He has held multiple positions while at Oracle. He has received raises, and even received a large raise after demanding it. He thinks that women and Asians are under-valued at Oracle. He thinks that employees that complain too much are replaced with cheaper workers in other countries. He has heard managers say negative things about working mothers.

Employee 84 was a male individual contributor in Product Development. He was laid off from Oracle. He was hired through college recruiting. He held one position and did not request a raise. He doesn't know if his coworkers were getting raises. He was not called any derogatory names at work.

Employee 85 is a male individual contributor, who worked as a software engineer at Oracle, but is no longer with company. He left Oracle for a job that pays him more than double his most recent salary at Oracle. He was hired at Oracle through the college recruiting program. He received one promotion but did not get a pay raise until a year after his promotion. His promotion came with additional job duties. He believes that it was common knowledge that Oracle preferred visa holders, like him, because they would stay at Oracle without Oracle having to promote them. He believes that Oracle can pay employees more but takes advantage of employees' immigration status and vulnerability. He noticed that Oracle does not treat all visa holders alike. For example, there were two visa holders on his team aside from him one male and one female; only the male got promoted and received a raise.

Employee 86 is female manager in Product Development. Once she asked her supervisor for a raise in stock compensation, but was told there wasn't enough in the budget. The other men on her team doing the same work as her were making more than her even though they were at the same management level. She asked a couple of times to get a promotion, but others were hired from outside over her. Her supervisor told her he didn't even know what the requirements were to move up other than leaving. She did not hear any overt derogatory comments.

Employee 87 is a male individual contributor in Product Development. He has been promoted while working for Oracle. He did not receive a raise with the promotion. He asked his supervisor for a raise several times, but was told that there was not enough money in the budget and there was no point in asking. He did not discuss his salary with coworkers. He received annual performance reviews. He was not called derogatory names at work.

Employee 88 is a female individual contributor. She was a university recruit. She received the same pay as male counterparts upon hire. Throughout her career, her manager told her she was paid below the industry rate. She asked for raises. She received annual performance reviews and completed self-appraisals.

Employee 89 is a female former individual contributor. She was laid off. Oracle asked about her prior pay close in time to when Oracle made her an offer of employment. She requested appraisals but Oracle wouldn't do them. She was never promoted. She had one raise and two bonuses. She received a performance review every year, but never received a performance appraisal. She did not want a promotion to manager so never pushed the issue. She was not called derogatory names at work.

Employee 90 is a male individual contributor in Product Development. Oracle asked about his prior pay and questioned him about whether the amount he shared was correct. His coworker doing the same work earned less than he did. He talked about pay with some employees and some got raises when others did not. He only got one raise while at Oracle. He never heard any derogatory comments, but others frequently spoke in Hindi.

Employee 91 is a female individual contributor working in Product Development. She has worked in a few different positions and was formerly a manager, but she requested to transition back to an individual contributor role. Oracle asked about her prior pay during the interview. At one point she asked about requesting increases, and was told that this wasn't done. She has never requested a raise. She received two promotions without pay increases. She has not received consistent performance appraisals. She didn't talk about pay with her team. She stopped receiving stock options and suspects that others received them. She was not called any derogatory names at work. She did not hear that she was paid less than men, and she was not told that having children could be related to not getting pay increases. She suspects that she received lower performance ratings from one manager because she was a woman.

Employee 92 was female individual contributor who was laid off after taking a leave of absence. She discussed pay with her coworkers, but in vague terms. She received a couple of raises. She received regular performance reviews. She brought issues with abusive work environment to HR's attention, but the problem was not addressed.

Employee 93 is a female manager who works in Product Development. She has been promoted multiple times while at Oracle, but her salary was not increased along with those promotions. She has requested raises in the past and received some small increases. She does not discuss pay with her colleagues. She does not recall if prior pay information was requested during the hiring process. She stopped getting annual performance reviews a few years ago. She has not been called derogatory names at work. She believes she is being paid less than new employees with less experience, most of whom are men.

Employee 94 was a female former manager in Product Development, whom Oracle laid off. Oracle initially hired her as an individual contributor, and she has held multiple management positions at Oracle. She explained that raises were granted on a cycle, and were not given when not scheduled. She didn't think appraisals had anything to do with raises because she received raises in years where she did not receive an appraisal. Rather, raises are based on rankings of employees in a system, initially Work Bench and later Workforce Compensation. The system will auto-calculate raises based on rankings but can auto-calculate based on other factors. As a manager making raise recommendations for her direct reports, employee 94 had access to budget information. People above her would change her rankings, but she did not have a specific example of this. On one occasion, she discovered that one of her bosses (a white male) granted, without explaining to her, a male subordinate employee a higher raise than what she recommended while decreasing her raise recommendation for a female employee. She tried to get one of her female reports promoted, but her manager was not interested. There was other speculation among female colleagues that they were being paid less than men or white people. She heard that in Oracle India, they would write raises on a white board when raises came out but, their managers told them to stop. She once complained to her boss about not making enough money, but her boss responded that it was based on the budget. She was called derogatory names years ago in face-to-face group meeting.

Employee 95 is an individual contributor in Product Development. She believes she is underpaid and frequently requested raises. Her manager has also shared with her complaints about pay. She thinks that one of her male coworkers who does the same thing as her is paid more. However, she notes that he has more experience. Her manager expressed a preference for hiring young people. Her manager also held the fact that she had children against her.

Employee 96 is a male individual contributor who works on a team in Product Development. He does not recall if prior pay information was requested during the hiring process. He has not received any raises or promotions since hire. He receives regular performance appraisals. He does not know the wages of peers. He does not know if he is paid less than whites. He was not called any derogatory names at work.

Employee 97 is a male individual contributor who works in Product Development. He was asked about prior pay during the interview process. He asked for raises and promotions, but did not get them. His coworkers complained to him about their pay. He received performance reviews most of the time. He did not get called any derogatory names at work. He believes he is underpaid.

Employee 98 was a male individual contributor who worked in Product Development until Oracle laid him off. He was a college recruit. Other men were promoted when he was not, but they were the same race as Employee 43. He received regular performance reviews. He did not think that he could discuss pay at Oracle. He was not called any derogatory names at work.

Employee 99 is a female manager who has worked in multiple positions within Product Development. She avoids discussing pay with colleagues, but has heard that there are individual contributors who make more money than her. She has received several pay increases. Oracle did not ask her to provide prior pay information when hired. The frequency of her performance reviews varies by manager. She has not been called derogatory names at work.

Employee 100 was a female individual contributor in Product Development. She was recruited out of college and received one promotion before she left Oracle because she thought she was underpaid. She found out co-workers who were hired around the same time as she was received RSUs, which she did not. She received one performance review at Oracle. She was not called derogatory names at work.

Employee 101 is a former female individual contributor who worked in Product Development. She worked at Oracle for a number of years and never received a promotion, change to her individual contributor level, pay increase, or performance review. During her job interview, Oracle asked her about prior pay. Oracle offered her only a few thousand more than what she earned in her prior job and informed that she would not be getting a raise for about three years. When she was hired, Oracle did not inform her of her job title or individual contributor level – she had to figure this out herself. She filled out a self-appraisal sent out by human resources, but no manager ever followed up with her about this.

Employee 102 was a female individual contributor, but she no longer works at Oracle. She worked in IT, in one position. Oracle asked her during the interview process for the salary she expected to make, and believes she mentioned her prior pay. She did not request or receive any raises or promotions. She left too early for an annual performance appraisal.

Employee 103 is an individual contributor in Product Development. Oracle discussed his prior pay when he went through the hiring process. He was initially offered less money than at his then current job. He was able to negotiate a better hiring package than initially offered, but was told not to discuss it with his coworkers. He has seen a higher-level white manager layoff a minority manager only to place a white person in that position. He has received appraisals. A manager told him that he negotiated like a white person.

Employee 104 is a male individual contributor currently working in Support. He previously worked in Product Development. Oracle asked for his prior pay during the interview, which he provided. He has received a couple of salary increases. He has requested promotions four to five times during performance appraisals – which he believes are his only opportunity to make such a request – and has not received them. His manager has said he will try, but also that he needs recommendations from others, and nothing has materialized. The process isn't transparent. He has received regular performance appraisals. He has not discussed pay with his team. He has not been called any derogatory names at work.

Employee 105 is a female individual contributor who works in Product Development. She came to Oracle through an acquisition. She worked for Oracle on more than one occasion in different offices within the United States. She received at least one promotion while at Oracle. She believed women were paid less than men, but was not aware of racial discrimination. She thinks visa holders are paid less because of their status.

Employee 106 is a female contributor in IT. She has noticed that she received pay increases and bonuses became much less frequent than when she started. She believes salary is on the low end due to the amount of time she spent at Oracle. She has been told that to get higher pay, one has to leave Oracle and come back. She observed that when Oracle acquires companies, the new employees are higher paid. She has not received performance reviews in years and no one asks for them because there is a feeling that they are pointless and the process is demeaning because there are never salary increases as a result of them. Supervisors told her that they are not given enough of a budget to work with for salary increases.

Employee 107 is a male individual contributor currently working in Product Development. He has worked in a few different positions. Oracle asked for his prior pay during the interview and believes he provided proof to Oracle. He thinks he was hired at a lower level than the level for which he applied. He has received small bonuses and incremental raises throughout his tenure that he believes are adjustments for inflation. He has discussed raises with management, but has been told that there is no room in the budget because of the performance of the product. He no longer receives stock options. He has been promoted twice. More recently, he requested a promotion to manager and received some management duties, but has yet to receive an actual promotion. He receives regular performance appraisals. He believes the pay range for his current level is very wide, and that he is being compensated at the low end. He discussed his pay with peers on other teams and learned that they are paid more than him. It is his understanding that you are not supposed to discuss pay. He has not been called any derogatory names at work.

Employee 108 was a male manager who no longer working at Oracle. He worked in several roles in Product Development. He was hired through college recruiting. He received consistent, relatively small raises each cycle, as well as a larger raise that his manager framed as a salary adjustment to achieve market rate. He never requested a raise. He believed his salary was comparatively low. He has heard that new hires were typically compensated above market rate while employees of longer tenure were compensated below market rate. He did not believe asking for a raise would make a difference. He received promotions tied to technical achievements. He received consistent performance appraisals, although they became less formal. Pay was discussed on his team, but only in general terms. He was never called any derogatory names at work.

Employee 109 is a male individual contributor currently working in Product Development. He has worked in two departments in different locations. His recruiter indicated that his initial pay was low because he was underpaid in his previous job, but according to his online research he thinks that his salary was comparatively low even within Oracle. Upon accepting his job, he requested an increase but did not receive it. Then, when transferring locations, he asked again, but was told that only new hires could get that sort of bump to market rate. He has not subsequently requested any raises, but has received salary increases. Nobody on his team discusses pay. He has not been called any derogatory names at work.

Employee 110 is a female individual contributor in Product Development. She received one promotion and several raises while working for Oracle. She has also received bonuses. She does not discuss her pay with coworkers. She returned to work at Oracle after going on maternity leave. She was not called any derogatory names at work.

Employee 111 is a former female manager who worked in Product Development. She was initially hired as an individual contributor. She did not think her prior pay was taken into consideration when she was hired as an employee. She got stock options at first, but stopped getting them later. She noticed that another manager in another country was getting better raises for his team. She thinks that some of her coworkers received raises when she did not. When she asked, she was told that it had something to do with that rules of that country. She said that some countries were favored for raises due to retention issues. She made it clear that pay was an issue for her with her manager. She noticed that she was not getting promoted. Later on she was offered a promotion that she rejected. She was given appraisals only sporadically. She received a poor evaluation that she did not think was justified, but the issue was not addressed by HR when she brought it to their attention. Her manager suggested that she leave Oracle if she wanted more money. She was trying to transfer internally when she was laid off. She was not called any derogatory names at work. Was never told she was being paid less than (men/white employees) nor told that having children was a reason for not getting a pay increase.

Employee 112 was a female manager who was forced out of Oracle by male manager because the male manager wanted to bring in a male management team. Employee 112 believes that numerous female managers were laid off because of this manager. Employee 112 received very positive appraisals. Employee 112's male counterpart was promoted to a high-level manager despite not having managers report to him. A previous manager told employee 112 that if she wanted a raise she must bring in another job offer. In her experience, promotions were not tied to salary increases. Upper level managers gave bonuses to the top 25%. Bonuses were rating-based. However, how to receive bonuses and raises was not explained. Employee 112 did not think it was permitted to share salary and bonus information.

Employee 113 was a male manager in Product Development. He had to complete and sign a form disclosing his prior pay before he received an offer. He did not request any raises. He did not discuss pay with his team. He received a counter offer from Oracle after he informed his boss he was leaving. He was not called any derogatory names at work. He was not told he could be paid less than his white counterparts.

Employee 114 is a female individual contributor who works in Product Development. Although she's held the same position at Oracle, her titles have changed. She recently asked for a raise because she felt she was long overdue and she received it. However, she heard that the raise she received was actually a company-wide raise. She has a feeling that she is being underpaid but does not have the supporting data. She believes that it is unfair for men to be paid more than women.

Employee 115 is a female manager in Product Development. Her title has not changed since she was hired. She has talked about pay and requested a raise with her manager. She has received raises, one about every two years. She does not know the specifics of what others are paid, but has heard indications that that they make more than what she makes. Has not received any derogatory comments at work.

Employee 116 is a female individual contributor who works in Product Development. She came to Oracle through an acquisition. She believes her pay is not commiserate with the work she performs. She has discussed this with her manager. Male coworkers have been promoted while she has not. She trained some of those individuals. She has received small raises while working for Oracle. She does not receive regular performance reviews. She was told by a manager not to discuss pay with coworkers. She was not told that she earns less than her male coworkers. She was not called any derogatory names at work. However, she did hear one derogatory comment regarding working with a woman rather than a man.

Employee 117 was a male individual contributor who worked in Product Development. He worked at Oracle both in the United States and abroad, and has worked for Oracle on more than one occasion. Oracle asked about his prior pay when he interviewed. When he returned, Oracle asked about his current salary. He had the same job from rehire until when he left. He did not ask for a raise, but wrote himself a nice self-appraisal in hopes of getting a raise. He believes he was paid less than another male that did same job, but had more experience. He never heard any derogatory comments.

Employee 118 is a male individual contributor who works in Product Development. He had a competing offer when interviewed, he shared the offer amount with Oracle. He has heard complaints about pay from his manager. He believes that recently hired white males in similar positions make more money than him. He has read on anonymous postings on the internet that others in the same position at Oracle make more money than him. He has not received a performance appraisal while working for Oracle. He doesn't know if his coworkers get them or not. He has discussed promotions with his manager, but they have not happened. He has not been called any derogatory names at work. No one really knows how much others are paid at Oracle. He has not been told that he is paid less because he is a minority.

Employee 120 is a white female individual contributor. She recalls Oracle asking about her prior pay before she received a salary offer. She received only rare and modest pay increases and the general feeling is that she and her colleagues are underpaid. She has heard a supervisor said he prefers employees in India because they will not challenge management positions and they can hire six for the price of one. She observed that a female employee was bullied and patronized by a male employee that the supervisor favored. The female employee was excluded from a client opportunity social event and ultimately quit. One male employee reports directly to a particular manager and no one knows how he got that position.

Employee 121 is female individual contributor who works in Product Development. She joined Oracle when it acquired the company where she used to work. Employee 121 reported that her pay has stagnated for long periods at Oracle in a manner that did not keep up with inflation. Despite being frequently selected for important projects and receiving excellent performance reviews, Employee 121 was not given raises commensurate to her work. She attempted to secure raises and promotions, but was told to keep her expectations low. Employee 121 noticed that at times white and male colleagues were promoted when she was not. She also noted that less qualified colleagues were promoted when she was not. She had to work with less talented people who were senior to her. She discussed her pay with a white male co-worker doing similar work and learned he was receiving higher pay. She feels that being in a clique helps one get promoted and the cliques she observed were usually composed of white men. A male co-worker made advances at one point and she felt uncomfortable going to HR. There is a tendency for managers to act like going to HR is a severe problem.

Employee 122 is a female individual contributor who was laid off from Oracle. She worked in three different positions in Product Development. She doesn't recall if she was asked about her prior pay during the interview. She requested a raise when she learned that a male team member who started after her was making more than her, and was told that she should be satisfied because she was making more than in her previous job. She was told that she could be promoted in two to three years and received a small raise in the interim. She was also promised a bonus but was given a lower amount than indicated. She was ultimately promoted a couple of times. A male coworker discussed pay with her, which is how she knew she wasn't being compensated as highly. She was never told that she was paid less than her white counterparts. She was not called any derogatory names at work but experienced some isolation.

Employee 123 is a female individual contributor in IT. She was hired as a college recruit. She received small raises while working for Oracle and did not ask for raises. She has not received a promotion in a long time, but received them early in her career. She has discussed raises, lack of raises, and bonuses with coworkers. She has not received performance appraisals from her manager. She was the subject of a derogatory comment at work.

Employee 124 was a male manager, who is no longer with Oracle. He first came to Oracle as a college recruit. He worked for Oracle more than once. He held multiple different individual contributor positions during his first stint at Oracle. When he returned he became a manager. As a manager, he learned that some employees under him made more than him so he asked for a salary adjustment so that he made more than those under him. He believes that employees need to threaten to leave Oracle in order to get a pay raise. He has knowledge of one VP being fired because he was disrespectful to his female staff. He also has knowledge of another VP against whom sexual charges/complaints were made, but who is still employed at Oracle. When he was a manager, he was encouraged to hire employees from outside the US who could be paid less than US employees. He believes it was common knowledge that employees on work visas were not paid as well as their American counterparts.

Employee 125 is a female individual contributor in Product Development. She was not promoted during her employment at Oracle. She received some small raises during her employment, but they were intermittent. She asked one of her supervisors what she had to do to get a raise, but when she met the specified goal, she did not get it. Later she asked a different supervisor for a raise and was told that she could not get one. She received some bonuses. She did not discuss her pay with her peers, but another employee told her that she was underpaid for her role. She was aware of a male employee hired to work in her group whose salary was much higher than hers. She received positive feedback about her work. She was not called derogatory names at work.

Employee 126 is a female individual contributor who works in Product Development. Employee 126 came to Oracle via an acquisition. She thinks she is underpaid and has requested a raise.

While her manager said he would try, he explained that he did not have the power to give that much. She said that performance appraisals are rare and seem unrelated to raises. Employee 126 believes that Oracle is taking advantage of her contributions to the Company by paying her such a low salary. She doesn't think a white male employee in her place would be paid like this.

Employee 127 is a female manager, who has worked in different management positions/levels at Oracle. She previously worked at different company, she left this company, and then re-joined after company was acquired by Oracle. Oracle asked about prior pay when she was re-hired. She then moved to a different group within Oracle. Employee was given the promotions she requested which came with raises. However, she still made less than some of the men who worked under her. Did not discuss pay with others because it was not Oracle's culture to discuss pay. Also, she has a lower title than many of the men who started at Oracle at the same time as her; Oracle promoted them to higher positions than her despite them all having the same qualifications. Products acquired by Oracle and the employees working on these products were transferred to her management. As the manager, she could see that the male transfers that worked under her made more and had higher titles than the female transfers who worked under her despite doing similar work. On one occasion, she was looking to hire a particular position and was told by management to hire a single male between the ages of 25-35 because they could work all day and could not get pregnant. She has stayed at Oracle because she is a mother and the job allows her flexibility.

Employee 128 was a male former manager in Product Development. He worked at Oracle both in the United States and abroad. He found that his raises were more significant and frequent abroad. He was told by his manager that his pay was too low but the budget is not available for correcting it. The only pay increase he received was a small bump before he left Oracle, which he believes he received because Oracle got wind that he was going to leave. He was told by his manager that salary is decided by HR other than perhaps some small bumps or adjustments. Even though he knew he was underpaid, he felt compelled to stay at Oracle as long as he did due to his visa status.

Employee 129 is a male individual contributor working in Product Development. He started at Oracle straight out of college. He sought promotions and was told "no," even when Oracle promoted others in the group, while not promoting him. Once he said he was going to transfer to another group, his management became more open to the promotion discussion, but he transferred anyway. Management told him the hold up on the promotion was an approval at the VP level. Things did not go as well as he hoped after the transfer. A couple of years later his manager put in for a raise and a promotion. The raise was approved with the highest levels of management. Then, there was a reorganization and the salary increase did not happen. He cannot recall receiving any significant salary increases during the last seven years of his employment at Oracle. He has not had a performance appraisal recently, so it is difficult to know where he stands. He has not witnessed overt discrimination in the workplace.

Employee 130 was a female individual contributor who worked in Product Development. She came to Oracle through an acquisition. She was promoted a couple of times. She received small bonuses while at Oracle. She was aware of male coworkers being promoted faster than her. She believes that managers valued male employee opinions more than female. She thought there was a rule prohibiting discussion of pay. She did not receive regular performance reviews. She believed that her parenting obligations were looked down upon. She received a 30% increase in salary when she left Oracle.

Employee 131 was a male individual contributor who was laid off by Oracle. He became an Oracle employee when Oracle acquired the company he was working for. He worked in Product Development. He asked for a raise every year and sometimes got a small one, but usually not. He did get a larger raise one year when he went over his manager and asked a VP, but that was the last raise he ever got. He never talked with others about specific salary but they did compare the percentage of the raise received with his coworkers. He thinks Caucasians got bigger percentage raises. He thinks raises at Oracle are based on whether your manager likes you or not.

Employee 132 was a manager in Product Development for a short time and then returned to being an individual contributor. She was told she could not telework if she wanted to be a manager. She thinks that her demotion was connected to the fact that she was a mother. She got a \$25 thousand dollar increase in salary, signing bonus, and an additional type of bonus when she left Oracle. She questioned her manager when he promoted a man who had less time at Oracle than she did, and was instructed not to ask such questions and she shouldn't make presumptions. At one point, it was made clear to her that Oracle was interested in growing a white male employee in her group. She received regular appraisals. She was not called any derogatory names at work.

Employee 133 is a male individual contributor who left Oracle because he decided he was never going to be paid a competitive, market rate salary. He worked in Product Development. Oracle asked about his prior salary during his initial interview. The salary offer Oracle made was based on his prior salary at another company. He never discussed salaries with coworkers because his first Oracle manager told him salaries were private and should not be discussed. He thought that it was common knowledge that you could be punished for talking about salaries. He once saw a co-worker's paystub in the copier and noticed that the person made more than he did even though the person was several levels below him and had not been at Oracle as long. He complained to his manager but did not get a satisfactory answer. He asked his manager for pay raises and sometimes got small ones but didn't think they were consistent with his performance. He usually received annual evaluations that were good but there was no correlation between the evaluations and your salary.

Employee 134 is an individual contributor in IT. He has worked in multiple office locations and positions at Oracle. He spent some of his time in Support. He does not recall if prior pay was discussed at his interview. However, he is fairly certain that Oracle knew what his earnings were by the nature of the job he was coming from. He has asked for raises, but not received them. His managers have also complained about pay. He is aware of others doing similar work and being paid more.

Employee 135 is a female manager who worked in Product Development. She worked for Oracle on more than one occasion and in more than one position. She also worked abroad for Oracle at one point. Employee 135 more than doubled her income when she left Oracle for another job. She used the salary she believed males made in the same position as her at Oracle as a negotiating point for the new job. Oracle asked for her prior pay during her interview. When she wanted a raise, her manager told her to do a dive and save. She was aware of a certain group of males who hired and promoted each other at Oracle. She thinks that the women in the tech industry are not treated very well in general by certain groups of men. She was not told that she made less than white coworkers or called derogatory names at work.

Employee 136 was a female individual contributor who worked in Product Development. She was advised not to discuss her pay. She asked for raises, but she didn't get them. She thinks that she was only given visa-related raises. Her managers belittled her work. She was aware of new college recruits being paid more than her. She was not called any derogatory names at work.

Employee 137 is a male manager at Oracle in Product Development. He asked his boss about compensation every quarter, but only received a very small raise. He has no team to supervise, so he is not on a promotion path. Performance reviews were not regularly conducted on one of the teams he worked on, but were done on a different one. He was not called derogatory names at work.

Employee 138 is a female individual contributor in Product Development. She worked for Oracle on more than one occasion. She was originally hired through the college recruiting process. She never received an evaluation. She does not know what her peers are paid, but was told by a senior management friend that she is making less than others doing the same job. She confronted her manager after hearing this, and he said he would take care of it but nothing has changed. She heard derogatory comments about female engineers at the job.

Employee 139 is a female manager who has held multiple roles at Oracle. She felt that she was working very hard on an important project, but they would not promote her. Her manager told her that since her salary was at the low end of the pay band, if they promote her she will be too far below the pay band. She has received salary increases in the last few years. She does not recall witnessing overt derogatory treatment.

Employee 140 was a female individual contributor in Product Development. She worked for Oracle on more than one occasion and in more than one position. She has only received small raises while working at Oracle. She had several occasions when she strongly complained about her pay and was specifically told that if she isn't happy she should find another job. At one point, her manager admitted that new, inexperienced college graduates were making twice as much as her. She left Oracle and immediately received a big pay jump and is now making approximately 75% more doing similar work to what she did at Oracle.

Employee 141 is a female individual contributor hired as a college recruit. She attempted to negotiate a competitive salary when she was hired, but Oracle gave her only a very small increase above its initial offer. She asked for a performance evaluation, but did not receive one. She received very little feedback on her work. She believes that none of her female coworkers received performance evaluations either. She learned that several male employees were promoted over her, even though they had all been recruited at the same time from the same school. She personally experienced sex discrimination from male coworkers who were hostile and patronizing towards her.

Employee 142 is a female individual contributor in Product Development. She has not received a promotion while working at Oracle. She asked her supervisor for a promotion and was told that she had not worked at the company long enough to be promoted. She brought up promotions with her supervisor several more times and never received one. She did not receive formal performance reviews while at Oracle, but she received positive feedback from her supervisors. She received a raise at one point to bring her salary up to the same level as the other employees in her group. She experienced sexual harassment from a male coworker and heard another employee make sexist remarks.

Employee 143 is a male individual contributor currently working in Product Development. He has had two separate stints at Oracle and has worked in multiple positions. Oracle asked for his prior pay before he received an offer. He has never requested a raise but has received cost-of-living adjustments to his salary. Management told him that he was at the top of his pay band. He has never been promoted. His understanding is that individuals only have a certain amount of time to succeed in their role, and if they don't, management will move them out. He believes that being put on the management track is the only way to increase compensation, and so he requested and received that change. He has not received regular performance reviews, and appraisals have become less formal and documented. He never discussed pay with his teammates. He was never called any derogatory names at work on the basis of his identity or told that he was being paid less than white employees.

Employee 144 is a female former individual contributor. She was hired through the college recruiting program. She advocated for raises and promotions for herself. At one point her manager told her that she requested a promotion for her, but that her manager's manager denied the request. However, when she later actually applied for a promotion it required a lot of information, so she does not think her manager actually requested that promotion. She only had a few salary increases, and those she received were small. She reported that people on her team did not get the same level of compensation increases as other teams. When she first started at Oracle she got performance reviews, but the team she was on later in her career did not do formal performance reviews.

Employee 145 is a female manager in Product Development. Oracle asked her about prior pay when she was hired. She has not received a pay raise since she started and she has asked multiple times. Her job title and responsibilities have changed and increased over time, but not her pay. She has been told to go to a different company if she wants more money. She has been told several times that she is lucky to have a flexible schedule and workplace so that she can be at home and watch the kids, but she doesn't have any kids.

Employee 146 is a female individual contributor at Oracle. She worked in Product Development. She came to Oracle through an acquisition. She never received a raise or a promotion while at Oracle. She never discussed pay with anyone other than her manager. She received annual performance reviews. She was not called derogatory names at work, but she observed men with the same background getting promoted and given more prominent roles that positioned them for success. Family obligations regarding children and lack of consistent availability during evening hours was seen as an impediment for work assignments that led to advancement. Her supervisor suggested she leave in order to make more money elsewhere because advancement at Oracle was blocked.

Employee 147 is a female who was an individual contributor, but who is no longer at Oracle. She held two different positions at Oracle. She came to Oracle through an acquisition. She kept the same position and salary after the acquisition. Then she switched groups and held a different position. Oracle denied her raises when she requested them. She received a job offer that paid more and only then did Oracle offer her a higher salary.

Employee 148 is an individual contributor who works in Product Development. She was not asked about prior pay during her interview. She has received at least one raise while at Oracle. She has not had any appraisals, although she has asked for one. Her colleague has more direct contact with their supervisor and receives more raises. She has not been called any derogatory names at work.

Employee 149 is a female individual contributor in Support. She does not recall being asked about prior pay. She was promoted once, but she did not receive a pay raise. She has, however received some pay raises while working at Oracle. She received regular performance appraisals. She does not discuss pay with her coworkers. She believes she is underpaid.

Employee 150 is a female individual contributor in Support. She has worked in more than one office at Oracle, and has worked for Oracle on more than one occasion. Oracle asked for her paystubs as part of her background check. Oracle hired her into a lower global career level than she thought she had originally applied. She noticed that a less qualified male on her team received a promotion over her. She has only received a single raise since returning to Oracle. She was told by a manager not to discuss promotions of other employees.

Employee 151 was a female individual contributor in IT. She joined Oracle when her company was acquired and was kept at the same salary. She did not receive a raise during her time at Oracle, despite moving to different projects. She asked for a raise at one point, but was told raises were not being given to people who came from her old company. One male member of her team was paid about the same as her, even though she had more experience. Another male who was hired just before she left, was brought on at the same level as her. She was laid off along with most people from her former company. She felt she was excluded for being a woman. She heard that Indians were cheaper to hire.

Employee 152 is female former individual contributor. She had several title changes early in her tenure at Oracle, but they were not tied to raises. She did not have any promotions for several years after that. While she was later offered a promotion to manager, she turned it down because there was no discussion of salary and she was not paid enough for the additional work the promotion would entail. She demanded to know how her salary compared to her peers, and only learned that she was near the bottom after a lot of follow up with HR and her manager. She asked how she could be paid more but was told there was not enough money. She received mostly small raises during her time at Oracle. She received one larger raise along with a male colleague because they were being paid too little. She was discouraged from talking about her salary and did not ask for raises. A manager advised her not to discuss compensation because if someone asks questions it will come back on her. She now works for a different company at a higher salary.

Employee 153 is a female employee. Employee 153 has worked for Oracle on more than one occasion, and in more than one position. She worked in IT and Product Development. She believes that males are paid more at Oracle. Employee 153 provided an example of a male coworker who has a lower-level title, but earns more money than she does. She said there isn't a lot of talk about pay among her coworkers. She thinks the pay system is unfair and should be fixed.

Employee 154 is a female individual contributor in Product Development who no longer works at Oracle. She worked in multiple positions while there. She received title changes without promotions. She requested a raise, but didn't receive it then. She later received at least one raise. She did not receive appraisals consistently. She was told at some point that the policy was not to talk about money. When she transitioned to part-time work, she took a pay cut.

Employee 155 is a male manager in Product Development. Oracle asked about his prior pay in his first interview at Oracle but he declined to disclose that information at first. When pushed, he felt forced to disclose it. He has received no bonuses, no raises, and only a few stock options. He has asked for raises. He has never received a performance review from any manager even though he has asked. He asked his colleagues and they told him that they did not receive performance reviews. Management said they were too busy and it's not a priority. HR instructed him via email to complete self-appraisals, but his management has not expressed any concern about their completion. He believes Caucasians are higher paid minorities. He has compared his pay with Caucasian colleagues and he makes less.

Employee 156 is a male independent contributor who works in Product Development. He has held various positions at Oracle. He believed he was underpaid. He repeatedly asked his manager for a raise. He did not receive raises for several years. He received small raises during his career at Oracle, but still believed himself to be underpaid even accounting for those raises. His manager promised him a promotion upon the completion of a specific project. When he finished the project, the manager was happy and recommended a promotion. It is his understanding that a high-level manager denied the promotion. He was not given an explanation.

Employee 157 is a male individual contributor who works in Product Development. He holds the same position now as when hired and now works for Oracle abroad. He received one pay raise while at HQ that he believes was part of a company-wide increase. He thinks this because he spoke to his friends about the raise and they reported receiving a similar amount. He asked for a raise at every appraisal. He has also had one promotion. He was not called any derogatory names.

Employee 158 is a male individual contributor in Product Development. During his initial interview, Oracle asked him about his prior salary and Oracle offered him a slight increase. He received regular "small" raises each year until the past couple of years. He has never asked for a raise. He never talks with co-workers about salaries, but he is sure that he makes less than others with similar jobs because he started at a relatively low salary. He doesn't think it is possible to catch up to others if you have a low starting salary at Oracle.

Employee 159 is a female individual contributor who works in Product Development. She held the same position during her entire employment at Oracle. She never asked for a raise, but she did receive two raises that she believes were connected to her visa status. No one talked about pay. She was not called any derogatory names at work.

Employee 160 is a female individual contributor who was laid off from Oracle. She worked in both IT and Product Development during career at Oracle. She only received one raise while at Oracle, but may have made more than one request for a raise. Pay was not discussed among her coworkers. She believes she was assigned more work than her coworkers. She was not called any derogatory names at work.

Employee 161 is a female individual contributor in Product Development. She has worked both full and part-time. She had no raises during the majority of her career, however she has asked for a raise a couple of times. Since she has not had any raises for a long time she is not sure if she is underpaid. She does not remember if prior pay was discussed during the interview process. She said her title has changed, but it was not a promotion. She has had an appraisal a couple of times during her career at Oracle. She and her co-workers have not talked about their salary at work. She was not called any derogatory names at work.

Employee 162 is a former female manager in Product Development who was laid off. She went to Oracle through an acquisition. She received two promotions while at Oracle. She only received a few performance reviews, and each time she had to request one from her supervisor. No one else on her team received regular performance reviews either. She asked her supervisor for additional promotions, but did not receive them. She received some small raises, but remained underpaid compared to market rate for her position. She was not called derogatory names at work.

Employee 163 is a former female individual contributor in Product Development. She left Oracle for another position. She did not discuss her salary with her coworkers. She only received one raise while at Oracle. She believes that Oracle pays its employees below the market rate. She did not have any examples of direct discrimination.

Employee 164 is a former male manager in Product Development. He started out at Oracle as an individual contributor, and worked in multiple positions. He has received several promotions while at Oracle. He doesn't recall if he was asked about prior pay during his hiring interview. Whether he receives an appraisal is dependent on who the manager is. He believes that his inability to get a bonus in recent years is related to the fact that he does not receive appraisals.

Employee 165 is a female individual contributor in Product Development. She has received raises and promotions while at Oracle. She got the raises without requesting them. She does not know how much money her co-workers make. Once, when she was given a bonus, her manager asked her to not tell anyone because she was the only one receiving the bonus.

Employee 166 was a male individual contributor, who worked in Product Development at Oracle. He now works for a different company that pays him almost \$100,000 more than his most recent salary at Oracle. He worked for Oracle abroad as well as within the United States. He thinks that his starting pay at Oracle in the United States was too small compared to his salary abroad. He worked in several different positions while at Oracle. He did not receive pay raises with promotions despite being given additional job responsibilities. He occasionally asked for pay raises but was denied most of the time. On one occasion he was given a modest bonus in the form of stock options. The only significant pay raise he ever received was related to his visa renewal. He and his coworkers did believe that they were paid below the industry standard.

Employee 167 is a female individual contributor in Product Development who believes she is underpaid. The employee's previous company was acquired by Oracle. Prior pay was discussed during the acquisition and her pay stayed the same as what it was before the acquisition. Her title changed when she returned from maternity leave. She is the only female on her team. She asked for raises multiple times and was only given a few. She received promotions during her time at Oracle. She has received annual appraisal reviews. Having a child was not mentioned as a reason for not getting a pay increase. The denials were explained as cycles and what was allocated and when.

Employee 168 is a female individual contributor in Product Development. She believes that her low pay is tied to her status as a visa recipient. Her title has changed, but promotions do not include pay raises. She asked for a pay raise and was told to stop bothering her supervisor. She has received visa-related raises. She has discussed pay with others, but it is difficult. She is aware of new hires that are paid more for doing the same work. She has not been called any derogatory names at work.

Employee 169 is a male individual contributor in Product Development and Support. He came to work for Oracle when Oracle acquired the company he worked for. He asked for a raise several times but was told to bring in a competing job offer and it would be matched. During one year when he received a raise, his manager said not to tell anyone else. His manager also told him not to discuss when he received stock options. Discussions of salary were generally discouraged. His salary increased some years due to bonuses and stock options. Another year, he transferred geographic locations without a pay adjustment. He sought better working conditions, but did not receive them until he put in his resignation.

Employee 170 was a male individual contributor in Product Development. He was laid off. He worked at more than one office location for Oracle. Early on in his career at Oracle he received more substantial raises, but after that he only received periodic small raises. He did not discuss his pay with his coworkers. For a time he received regular performance evaluations. He did not think the pay structure at Oracle was transparent. When he received a promotion he was told that he was not going to get a raise because he was already within the pay band.

Employee 171 is a male individual contributor working on a team in software development. He has worked on the same team in different offices.

Employee 172 was a male manager in Product Development. He was laid off from Oracle. He started as individual contributor and became a manager. He received several promotions without an increase in pay or benefits. New hires frequently make more money than he does. He believes that the best way to get a pay raise is to quit and return. He got a raise when he told them he was leaving for an offer with more pay. He decided to stay, but then his pay again became stagnant. He raised pay issues with management several times. He noticed that his manager rated employees that report to employee 172 without consulting employee 172. He thinks that Oracle is better about giving the work visa employees raises to stay in compliance with the law. He thinks those employees stay until their green card has been processed. He has heard that white employees receive more in compensation than non-white employees.

Employee 173 is a male manager who has held multiple roles at Oracle. Oracle asked for proof of prior pay when they hired him. His manager requested a raise for him after he asked for it, but it was denied at a higher level. However, Oracle gave him a smaller raise and another raise later, but he never got to where his manager was trying to get him. He does not bother trying to get promoted because he knows it will not happen. His team does occasional performance reviews and he has gotten positive feedback from managers.

Employee 174 is an Individual contributor. He has only received one discretionary title promotion, but no change to his individual contributor number since he was hired. He recently received a raise.

Employee 175 is a female former individual contributor who worked in Product Development. She negotiated a slightly higher salary than Oracle first offered her. She accepted a lesser position than the job she had previously because Oracle told her that her title would be adjusted after she started working, but she was never promoted. Her position and salary were not commensurate with her skill and experience. She transferred to a different work group while at Oracle, which was more demanding, but she did not receive a raise or promotion to compensate for the increase in responsibility. She received small annual raises, but they were not guaranteed. She discussed her pay with a couple of female coworkers. She learned that her pay was about the same as the other women, but she had a lower title even though she had better qualifications. She asked her supervisor for a promotion and was told he would look into it, but she never heard back. One of her performance reviews stated that she deserved a promotion, but she never received one. She did not receive positive feedback on her work until she told her manager that she was leaving. She experienced discrimination from male managers who were rude and demeaning towards her. A male manager tried to prevent her from changing positions by delaying her request for a transfer. She was not called derogatory names at work. After leaving Oracle she received a \$50,000 increase in salary at her new job.

Employee 176 is a male individual contributor who used to work in Product Development. He was laid off. He asked for a raise on an almost annual basis. He also regularly requested performance reviews. Some managers gave him an annual performance review, others did not. He was generally told that although he was performing well, there was no money for raises. He then received a raise a few years later and was told he was below the midpoint for his pay so his pay was increased to the midpoint. HR told him that Oracle does an annual review of pay for their employees in relation to the market and revise the salaries accordingly.

Employee 177 is a male former manager. He held same position, but on different teams, at Oracle. As a manger, he found that new hires typically came by referral instead of through a diverse pool of candidates. Management only gave him one day to come up with the proposed distribution of the raise pool for his team. The proposal had to be reviewed and approved by upper management. Upper management gave managers guidance on how to distribute their budget for raises. He did not feel that it was an option to challenge or depart from the guidance. There is a policy of giving large raises to some and none to others. Oracle also has a policy of not giving raises based on longevity or promotions. He thought that bias in performance ratings and promotions is rooted in the bias in assigning projects. At one point, upper management favored a low performer on his team, and made him give that person a higher raise than was appropriate. He believes the favoritism was due to the person's race and community ties.

Employee 178 is a female individual contributor who was laid off from Oracle. She worked in IT. She believed she was paid below market rate, but never asked for a raise. She was not asked about prior salary when hired, but was asked what salary she was looking for. She received a few small raises during her time at Oracle, but was still underpaid compared to the market when she was laid off. One time she mentioned to another employee who worked in a different division the amount she got for a raise, that employee seemed surprised at how small the raise was.

Employee 179 is a male individual contributor who worked in Product Development. He came to Oracle as a college recruit. He received a 50% increase in salary when he left Oracle. He did not discuss pay with his coworkers at Oracle. He believed he was underpaid. He received more than one promotion while working at Oracle. Promotions did not come with raises. He received raises while at Oracle. He had regular performance reviews with his manager. He was not called any derogatory names at work. He was not told that he was paid less than white employees.

Employee 180 is a male manager in Product Development who has worked both in the U.S and abroad for Oracle. Oracle discussed prior pay during the interview process. He has held two positions at Oracle. For his first position he did not discuss pay with his team or ask for a raise and did not receive any raises. For his second position, his team talks about pay frequently with a general sense that Oracle doesn't pay well and pay doesn't increase once hired. He believes it may be a systemic problem. He did not ask for a raise in his second position either. He just waits for the cycle. He believes the raises are extremely low compared to other companies. His team has more men than women. He has received performance appraisals, but not every year. His team members have had the same experience with inconsistent performance appraisals. He was never told that he was being paid differently than staff with different demographics. However, he thinks it is possible.

Employee 181 is a female individual contributor who worked in Product Development. She only held one position while at Oracle. She and her coworkers did talk about pay and discovered huge discrepancies between what they were paid. Many employees that had been there for many years were paid significantly less than the new hires simply because they assumed that Oracle didn't think they would leave. She made significantly more than several of her coworkers. She never got a raise because she didn't stay long enough. She thought employees were discouraged from socializing. She noticed what she believed to be self-segregation among employees. She thought that older employees were not treated very well. She would have liked to have seen more open celebration of diversity – especially religious holidays. She never heard specific derogatory comments.

Employee 182 was a male individual contributor at Oracle. He thinks prior pay may have come up during his interview. He did not think it was permitted to talk about pay at work, but he is not sure where this belief originates. He thought his manager had a preference to hire people of the same race as the manager. That manager was very strict about always speaking English in front of others. He did not receive performance appraisals. He was not called any derogatory names at work.

Employee 183 was a male manager who works in Product Development. He came to Oracle after Oracle acquired the company he worked for. There was no change in his pay from his prior job when he was hired at Oracle. He requested raises and received small increases in pay during his career. He received annual performance reviews. Two employees who were white and from acquired companies made more money as non-managing engineers than he did as a manager. Was not called derogatory names at work.

Employee 184 is a male manager who works in Product Development. He worked for Oracle both in the United States and abroad. He has requested, but not received, a promotion. He has received raises while working for Oracle. He regularly receives performance appraisals. He was not called any derogatory names at work. No one has told him he earns less than his White coworkers.

Employee 185 was a male individual contributor who was laid off from Oracle. He worked in multiple roles in Product Development and Support. He was hired at a lower global compensation number than the level for which he applied. He did not negotiate his starting salary. He received at least one raise and also requested a raise that he didn't receive. He was told he couldn't receive a raise without a promotion and that promotions were only available after a set number of years, which he believes was a manager-dependent practice. He said that people did not discuss salary, and that he does not know if he was paid less than white employees. He was not called any derogatory names at work.

Employee 186 is a female individual contributor who works in product development. She for raises. However, she received notice from her manager and HR to stop asking these kinds of questions. She is paid less than her coworkers are and she thinks her manager knows it. Oracle stopped doing performance appraisals a few years ago.

Employee 187 is a male individual contributor who worked in Product Development. He received one discretionary title change while working at Oracle. He does not recall if prior pay was discussed during his interview, but he voluntarily provided that information to Oracle. He left the job because he felt his pay was too low. Oracle attempted to do a dive and save, but he took the job at the other company. He did not receive formal appraisals, but he did get regular feedback from his manager.

Employee 188 is a male former individual contributor who worked in Product Development. He had one promotion while working for Oracle. He reported having other informal promotions where his responsibilities increased and his title changed, but nothing changed in Aria. Throughout his time at Oracle he got occasional 1% raises. He asked for a raise at each performance review, but was sometimes told there wasn't enough in the budget. He received a couple of small bonuses. He received appraisals, but not every year.

Employee 189 is a male individual contributor in Product Development. He held one position while working for Oracle. He had one promotion, but did not get a raise at that time although he did get a visa-related raise. He did not discuss pay with other employees, but did independent research about other companies to learn about market rates. He worked within a team of the same minority group. He was not called any derogatory names.

Employee 190 is a former employee who held positions in Product Development and Support. He was asked about prior pay during his Oracle interview, and was offered just a nominal amount more than his immediate prior salary. He was required to provide documentation of his prior pay before Oracle made him an offer. The team he was on was composed of the same minority group, and almost all had expressed to him that they believed they were underpaid. He asked for a raise and got a nominal raise but no stock options. He received promotions but with one exception, he only received nominal pay increases. Whether or not he received an annual performance review depended upon the group he was in at the time. Some groups provide annual performance ratings, others do not. He never asked for a performance review. He was never called derogatory names at work.

Employee 191 is a male manager who works in Product Development. He came to Oracle through an acquisition. He also worked abroad for Oracle. There was no change in salary when he received a promotion in the United States. He received small raises while working for Oracle, but believes he was underpaid while there. He never had any training as a manager on pay transparency or affirmative action plans. He was not called any derogatory names at work. He was not told that White employees made more money than him.

Employee 192 was a male individual contributor who worked in Product Development. He came to Oracle as a college recruit. He never got a raise despite his requests. He had the same position the entire duration of his employment. He believes that new college recruits are typically paid more than the employees who have worked at Oracle for a long time. He believes this to be the case with college recruits hired two years after him. He received regular performance appraisals. He was not aware of being called any derogatory names at work.

Employee 193 is a male manager in Product Development. He was a college recruit. He has received raises and stock options. He was told not to discuss his raises with his colleagues. Some of his direct reports make more than he does and when he told his manager, his manager told him that he wasn't the only one in this type of situation. Oracle passed him over for promotion twice, despite him taking on more difficult work. Higher level managers changed his manager's recommendation for raises. He was upset when one of his White male subordinates ended up receiving an extremely high raise when the White subordinate already made more money than Employee 193.

Employee 194 is a female manager who was laid off. She worked in Product Development. She received bonuses in the form of equity most years she was at Oracle. She was instructed not to discuss her raises or bonuses with other managers. She did not receive yearly appraisals, but received raises a little more than half the time she was there.

Employee 195 is a male individual contributor who works in Product Development. He has worked out of more than one Oracle office location. He was a college recruit. He does not talk about pay with his coworkers. His manager told him that he makes more money than anyone else on his team. He does not know if that is true, but he believes that he is paid under-market. He receives regular appraisals. He asked for a raise in conjunction with a promotion he received, but it was denied.

Employee 196 is a female who worked as a manager in Product Development. She was laid off from Oracle. Oracle did not ask about prior salary during her hiring interview, but did ask what salary she was seeking. She received annual evaluations most years. She asked for raises several times during her tenure at Oracle, but only received a couple of small raises. She never discussed salary with co-workers. She was not called any derogatory names.

Employee 197 is a female who works as an individual contributor in Product Development. She has worked in different positions within Product Development. She believes she is underpaid based on what peers who left Oracle for other companies have told her. She does not know whether she is paid less than her male or White colleagues. She has requested multiple raises while working for Oracle and received some of them. She has discussed her pay concerns with other colleagues at Oracle. She does not recall if prior pay information was requested during the application/ interview process. She gets annual performance reviews most years. She has not been called derogatory names at work.

Employee 198 is a female who works as an individual contributor in Product Development. She received promotions while working for Oracle. She has found that the promotions are not tied to an increase in pay. She has received very small raises while working at Oracle. She does not recall if prior pay was discussed during her interview/ hiring process. She does not talk about pay with her coworkers. She has only received a handful of appraisals. She was not called any derogatory names at work.

Employee 199 is a female individual contributor who works in IT. She has held multiple positions at Oracle. Initially, she did not ask for raise, but worked a lot of overtime to help increase pay. In her experience, promotions do not necessarily mean an increase in pay. A coworker that became a manager told her that the only way to increase her pay was to leave and come back as a rehire. She is trying to get her green card and does not want to start the process over somewhere else. She was not called any derogatory names at work, but she did receive some belittling treatment that she thought was based upon her sex. Some less skilled males were promoted over her.

Employee 200 is a female individual contributor who works in Product Development. Her manager did not permit her to discuss her salary with her colleagues. She has not received any recent raises. She thinks that some of the male employees do not respect her because she is a woman.

Employee 201 is a male individual contributor who left Oracle because he was frustrated that newer hires with less experience were being paid more. He doesn't recall if they asked what his prior salary was during his hiring interview. He only received one raise during his time at Oracle. He never asked for a raise because his manager made it clear there was no money for a raise. He sporadically received appraisals. He did not experience any overt discrimination at Oracle.

Employee 202 is a male individual contributor who works in IT. When he asked about raises, he was told there was no budget for them. He has not received any promotions during his career at Oracle. Co-workers complain to each other about pay. He does not know if he is paid less than whites. He was not called derogatory names at work.

Employee 203 is a female manager who works in Product Development. She has received one or two small raises. She thinks she is paid less than her peers in the same position. She has complained to her supervisor about her low pay. She no longer receives performance appraisals. She was not called derogatory names at work.

Employee 204 is a male individual contributor who works in Product Development. He came to Oracle via an acquisition. After the acquisition, his title and salary were kept the same. He has not asked for promotions or raises as he has been told that there won't be either.

Employee 205 is a female former manager. Before her hire, Oracle did a background check on her which included her pay and all past titles. She was able to negotiate her starting pay. She never received a raise.

Employee 206 was a female individual contributor, who is no longer with Oracle. She held the same position during her time at Oracle. Oracle asked about her prior pay when interviewed for her job. Although she requested raises, she only received one pay increase during her time at Oracle. Oracle told her that the only way to get a raise was to leave Oracle and come back. She discussed the lack of raises with her co-workers. She received complaints that she was not doing as much work as others in her department and felt that Oracle questioned her commitment to her work because of a family situation. She believed that generally men were paid more than women at Oracle. She also believed that she was a victim of age discrimination.

Employee 207 is a female manager at Oracle. She works in Product Development, but also worked in Support. She has complained about her pay, but was told she was paid as much as her peers. She does not know who her peers are, and does not know how to find out. Part of the reason she thinks she is underpaid is that one of her underperforming male subordinates got a larger equity bonus than her. She has asked to manage a larger team, but was not given the opportunity. She noticed that male managers in what she sees as similar positions to her have been given larger teams. Oracle asked about prior pay during her interview. She never received a performance evaluation. She was not called any derogatory names at work. She thinks that males have disregarded her technical knowledge because she is a woman. A high-level manager told her that she would never be promoted, but did not tell her why.

Employee 208 is a male individual contributor who works in Product Development. He never asked for a raise but received some. When he first joined Oracle, a male co-worker told him about his low salary, and asked him how much he earned. He told his coworker a range. Later his manager told him not to talk to others about their salary. He did not have any other pay discussions. He was not called any derogatory names at work.

Employee 209 is a female individual contributor who works in Product Development. She has worked for Oracle on more than one occasion. When she came back to Oracle her manager told her that she had to be hired at the same pay she left at. She has worked in more than one position while at Oracle. She received very few raises. Her immediate supervisor told her on more than one occasion that she was underpaid, and her supervisor would try to fix her pay. However, she didn't get the raise and she doesn't know at what level they were denying the raise. She did not discuss pay within her team. She was not called any derogatory names at work.

Employee 210 is a male individual contributor in Product Development. Oracle gave him at least one promotion. Oracle asked about prior pay during his interview. Pay was not discussed among his coworkers. He was not called any derogatory names at work.

Employee 211 is a female individual contributor in Product Development. She has only held one position at Oracle. She has asked for a raise, but has not received one. She and her coworkers discuss how they are unhappy with their low pay.

Employee 212 is a former female manager. She has also worked for Oracle as an individual contributor in Product Development. Prior to becoming a manager, she asked for a raise and did not receive one even though she was one of the top performing members of her team. She did not discuss pay with her coworkers. When she was promoted she did not get a raise at first. She only became aware of the fact that she was underpaid when she became a manager and one of her new reports made about as much money as she did. When she pointed out that she was underpaid, Oracle gave her a raise. It was difficult to give members of her team raises because the amount allocated for raises from upper-management was small. It was also difficult for her to give promotions to members of her team. She was instructed by her manager not to discuss salary and promotions or stock options.

Employee 213 was a female individual contributor in Product Development. She did not receive a raise when she was promoted. There have been times when she was the only woman on her team. She and her coworkers did not discuss their salaries. At one point, she received a very small raise. She never had a performance review. When she received a job offer from another company, there was some discussion about whether the offer could be matched.

Employee 214 is a female individual contributor who works in Product Development. She has worked in more than one position at Oracle. Oracle asked about her prior pay during the hiring process. Whether she received evaluations was management dependent. She has received some raises.

Employee 215 is a male individual contributor in Product Development. Oracle asked for his prior pay when he was hired. He discussed pay with a coworker on one occasion. When Oracle gave him a raise, his manager told him not to tell anyone else. He received a raise when he was promoted. He asked for and received regular raises.

Employee 216 is a female former individual contributor in Product Development. She joined Oracle when Oracle acquired the company she worked for. One other person on her team did the same work as her, but he was more junior. She thought he was paid more than her. She did not talk about salary with her coworkers. She repeatedly asked for raises, but only received them to bring her up to band.

Employee 217 is a female former manager in Product Development. She felt underpaid, but worried about retribution if she raised her concerns with upper-management. She could not recall if Oracle asked about her prior pay during her interview. She received a few small raises, including one after a promotion because her salary was too low for that position. She asked for salary increases, but did not get them. She has received bonuses and was told it was for her performance. She does not remember speaking to coworkers about pay. Early in her career her manager completed performance appraisals. Her managers told her they were pleased with her work, so she does not think performance and pay are connected. As a manager, she would talk to her manager if her subordinates requested pay increases or promotions. She did not have authority to make pay decisions. She received a substantial increase in salary when she left Oracle for a similar position at a different company.

Employee 218 is a male individual contributor in Product Development. He came to Oracle as a college recruit. He has requested promotions, but not get them when requested. He received raises, but he believed they were visa related. He thinks Oracle may have backdated his visa applications at times. His colleague received regular bonuses while at Oracle, but he did not. He was not called any derogatory names at work.

Employee 219 is a male former manager who worked in Product Development. He did not have the authority to make pay decisions. Those decisions were made by upper-management. He did not have applicants present pay stubs until after an offer was made. He does not know how his salary compared to his peers'. He thought salary was supposed to be kept confidential. He left Oracle due to the low pay and low growth potential.

Employee 220 is a female former individual contributor who worked in Product Development. She held only one position at Oracle and did not receive any raises. She and her coworkers talked vaguely about bonuses. She felt unsupported during her pregnancy and believes she was held to a higher standard than another mother. She left Oracle to work elsewhere, but later received a verbal offer from an old Oracle manager to return. A male manager who was senior to the manager who had provided the verbal offer, subsequently rescinded the offer by reaching out to a mutual acquaintance of Employee 220 who did not have experience working with her

Employee 221 was a female individual contributor who worked for Oracle briefly after Oracle acquired her company. She held one position the entire time and did not receive any salary increases. She did not request any increases because she thought it was well-known that Oracle does not give raises and promotions. She did not recall speaking to coworkers about pay. Oracle laid her off abruptly while she was pregnant, and she wonders if it was related to her pregnancy. She was not called any derogatory names at work.

Employee 222 is a male who worked as an individual contributor in Product Development. He did not ask for raises and his salary remained the same during his employment. He and his coworkers did not discuss pay often, but wondered why they did not get raises despite high reviews. A White coworker was promoted when he was not. He was not called derogatory names at work.

Employee 223 is a male who is a former manager in Product Development. Oracle laid him off. He regularly received appraisals and also received promotions while at Oracle. He did not think that his lay off was based on his race.

Employee 224 is a male manager in Product Development at Oracle. He received yearly raises, but others complained about not getting raises. He received annual performance reviews until recently. He was not called derogatory names at work.

Employee 225 is a male individual contributor in Product Development. Oracle asked about prior pay during his interview. A manager later told him that information was used to make the offer. He received regular raises, but only one promotion. He did not get a raise with the promotion. He is aware of employees on H1B visas earning more than him. He believes that the discussion of pay is prohibited among coworkers. He has not discussed his pay with his coworkers. He complained to his manager that he was not paid enough. He was not called any derogatory names at work. He heard about someone with less experience than him getting more pay, but he does not know if that is true or not.

Employee 226 was a male manager in Product Development whom Oracle laid off. He did not ask for raises. Oracle did promote him. He did not talk about his pay with his coworkers because he believed it was not allowed. Oracle did not offer him stock options, although he was aware that white employees in the same position received them. He had a lower level job title than other employees who had the same responsibilities. He was not called derogatory names at work.

Employee 227 is a male, former individual contributor in Product Development. He only had one position while at Oracle and never received a promotion. Oracle asked about prior pay when he was hired. He never asked for a raise and never received one. He got an additional RSU, but left before it vested. He talked to one employee in particular about pay and stocks. He believes stocks were used to offset pay. He was not called any derogatory names.

Employee 228 was a female individual contributor in Product Development. She received a 40% raise after leaving Oracle. Oracle may have asked about prior pay during her interview. She thinks that a male hired a week after her at the same level was paid a higher starting salary. Her male coworkers got credit for the work she did. She thinks that the employee handbook prohibited the discussion of pay. She did not discuss pay with her coworkers because of this. She occasionally got performance reviews. She believed that male coworkers were given better ratings than her even though she helped them with their work. She requested promotions. She was not called any derogatory names at work. She was not invited to certain work-related social functions because she was a mother.

OFCCP further supplements the above response by stating the following facts known to OFCCP at the time it filed this supplemental response to this interrogatory:

Oracle has had a five-point performance evaluation rating system wherein 1 was the lowest score and 5 was the highest score.

In Oracle's five-point performance evaluation rating system, a 5 performance rating was classified as "Outstanding."

In Oracle's five-point performance evaluation rating system, a 4 performance rating was classified as "Exceeds Expectations"

Oracle used a global job table consisting of a job function, job specialty (aka specialty area), systems job title, global career level and job code.

The combination of a job function, job specialty, systems job title, and global career level is assigned a unique job code.

Each of Oracle's job codes was assigned a salary grade that had a salary range assigned to it.

It was a policy at Oracle prior to October 2017 to request information about an applicant's current pay and compensation and to consider this compensation as part of the recruiting process before it made a job offer.

Both the sending manager and the receiving manager of an internal transfer of an Oracle employee have to approve the transfer for the transfer to actually happen.

Oracle's managers tell their employees not to discuss compensation with other employees.

Oracle's managers do not communicate to their employees how base salary increases, bonuses or stock are decided.

Oracle hires females for jobs with lower salary ranges than they applied.

Oracle hires females for jobs with lower global career levels than they applied.

Oracle hires more females than males in quality assurance and technical writer jobs.

Oracle gives less employment opportunities to females than males because of cultural and sexual stereotypes.

Oracle's employees in the quality assurance and technical writer job specialty areas in the product development job function having global career levels of IC3-IC5 have a salary grade with a [REDACTED] salary range per global career level than Oracle's workers in the software engineering, hardware engineering, engineering services and product management job specialty areas in the product development job function who have the same global career levels.

Oracle's managers in the quality assurance and technical writer job specialty areas in the product development job function having global career levels of M2-M4 have a salary grade with a [REDACTED] salary range per global career level than Oracle's workers in the software engineering, hardware engineering, and product management job specialty areas in the product development job function who have the same global career levels.

The assignment of Oracle's job code should be the job which most closely reflects the role of the employee in the organization.

Oracle completes its background check before it makes an offer of employment to an applicant.

Oracle assigned a minimum dollar value, midpoint dollar value and a maximum dollar value to a salary range.

In the United States, Oracle used a set of salary ranges for Oracle's employees at its headquarters at Redwood Shores and in the Bay Area and another set of salary ranges for all other locations in the United States.

Oracle used salary ranges as a tool to assist managers and HR personnel in making decisions about base salaries during the recruiting process, salary increase reviews, job changes or promotions.

Oracle assigned salary ranges based on compensation surveys in the local market.

Oracle set its salary range based on what the local market is paying for similar jobs.

Oracle used salary ranges as the link between internal and external equity.

Oracle grouped all jobs that it considered equal in value into the same local salary grade level having the same salary range.

Oracle assigned jobs to the same salary grade even though they were located in various job functions, lines of businesses global career levels, and job codes.

Oracle claims that salary ranges take into account a person's tenure because "in general, employees who have been in their current role longer tend to be paid higher in the salary range."

Oracle does not make salary grade and salary level information available to their individual contributor employees.

Oracle's compensation analysis is conducted by outside counsel to include Gary Siniscalco.

Oracle's salary ranges have had four quartiles.

Oracle's first salary range quartile was between the minimum dollar value of the salary range and between a number representing the salary midpoint dollar value and the minimum dollar value of the salary range added together divided by 2.

Oracle's second salary range quartile was between the midpoint dollar value of the salary range and between a number representing the salary midpoint dollar value and the minimum dollar value of the salary range added together divided by 2.

Oracle's third salary range quartile was between the midpoint dollar value of the salary range and between a number representing the salary midpoint dollar value and the maximum dollar value of the salary range added together divided by 2.

Oracle's fourth salary range quartile was between the maximum dollar value of the salary range and between a number representing the salary midpoint dollar value and the maximum dollar value of the salary range added together divided by 2.

Oracle considered placement in the first quartile of the salary range as the entry level salary for a job.

Oracle also considered placement in the first quartile of the salary range for employees "who are still learning their role, or whose contribution is below the required standard."

Oracle considered placement at the salary range's midpoint dollar value to be how much a "fully experienced, competent and solid performers" should earn for the job.

Oracle considered the placement midway between the midpoint dollar value of the salary range and the maximum dollar value of the salary range to be for those "employees whose contribution is exceptionally high or ready for a promotion."

Oracle considered the maximum dollar value of the salary range to be highest amount if could pay for a job regardless of how fantastic an employee may be.

"Global career levels are recognizable steps in job families where responsibilities and performance expectations increase."

Oracle defined a promotion as an employee moving from one global career level to a higher global career level with higher responsibility and more impact on Oracle's business

Oracle did not normally increase the salaries of employees when it promoted them to a higher global career level.

Gender and race fields do not appear in the compensation tools that Oracle uses for base pay salary increases, variable pay aka bonuses and stock.

Larry Elision or his office approved all of the hires, compensation for hires, base salary increases, variable pay aka bonuses and stock to include restricted stock units from 2013 to 2019 for the product development line of business.

Oracle admitted that promoting employees to a higher global career level with a higher salary range without a pay increase at the time of promotion such that the employee's pay fell below the minimum dollar value of the new salary range at the time of promotion made it quite difficult for Oracle to appropriately position the promoted employee in the new salary range.

Oracle admitted that promoting employees to a higher global career level with a higher salary range without a pay increase at the time of promotion when the employee was previously positioned very low in his former salary range would cause that employee internal equity issues with that employee's peers in the new salary range.

Oracle defined compa-ratio as being "the ratio of an employee's actual annualized pay rate (numerator) to the midpoint or some other control point for the job's pay range (denominator). An example . . . $\text{Compa-ratio} = \text{Employee salary} / \text{Range Midpoint} \times 100.$ "

Oracle's stated method for determining the salaries of international transfers from an Oracle affiliate in a different country, e.g., Oracle India Pvt. Ltd., to Oracle "in **most** circumstances" is to keep the employee's compa-ratio the same between the two countries. (emphasis in original)

Oracle can deviate from keeping the compa-ratio the same for international transfers when the transferred employee's new salary under the same compa-ratio would be "extremely high, or extremely low" when compared to the pay of the employees in the new peer group.

Oracle does not change the base pay of its employees in the product development, information technology or support job functions when they change jobs, teams, work groups, projects and / or products and keep the same job code.

Oracle's job code is a unique global identifier and once chosen, it populates the other codes in Oracle's Global Job Table and provides compensation information like salary grade, salary range and bonus eligibility.

Oracle pays female managers with more experience less than what it pays male individual contributor employees that these managers supervise who have less experience.

Oracle pays female managers with more experience less than what it pays newly hired male individual contributor employees that these managers supervise who have less experience.

Oracle pays female, Black and Asian employees with years more experience less than what it pays newly hired male individual contributor employees with less experience.

Oracle pays female, Black and Asian employees with years more experience less than what it pays

male individual contributor employees with less experience who graduated from college less than two years before hire.

Oracle hires new employees at market value but does not pay existing employees at market value.

Oracle's job families consist of like system's titles that vary by level. For example, Oracle's software developer job family is composed of the following system titles: software developer 1, software developer 2, software developer 3, software developer 4, software developer 5, and software developer 6.

Under Oracle's compensation guidelines, Oracle could give "off-cycle" or out-of-cycle base pay increases outside of its focal reviews because of "internal equity concerns" with an employee's peers and / or because of "comparison [of pay] with peers."

While its compensation guidelines permitted Oracle to give "off-cycle" or out-of-cycle base pay increases outside of its focal reviews because of "internal equity concerns" with an employee's peers, Oracle frequently did not award these "off-cycle" or out-of-cycle base pay increases to its Asian, female and Black employees who received less pay than their White and male counterparts.

Oracle used salary ranges as a tool to assist managers and human resources personnel in making decisions about base salaries during the recruiting process, salary increase reviews, job changes or promotions.

Oracle's salary range is a range of pay Oracle considers fair and competitive in local labor market for a specific job.

Oracle's Asian, female and Black employees who received performance evaluation ratings of 4 or 5 were did not receive any base pay increases during the fiscal year they received these 4 or 5 performance ratings.

Oracle's Asian, female and Black employees who received performance evaluation ratings of 4 or 5 were either below the minimum dollar value of the salary range or were in the fourth quartile of the salary range.

Oracle's Asian, female and Black employees who received performance evaluation ratings of 4 or 5 were not making a salary that was at least the midpoint dollar value of their salary range.

Oracle's Asian, female and Black employees received promotions without a salary increase at the time of promotion such that their salary fell below the minimum dollar value of the salary range of their new position when they were promoted.

To be considered a manager in the United States and to be on the manager global career level track, a person needs at least two people reporting to him and have his primary responsibility be managing people.

The assignment of Oracle's job code should be the job which most closely reflects the role of the employee in the organization.

Oracle's college recruiting does not seek individuals for specific positions. Instead, it obtains a pool of candidates to fill a variety of positions.

Oracle makes MAP offers when it has neither a position nor an organization to place an applicant.

Under Oracle's compensation guidelines, the reasons for pay decisions should be recorded.

Oracle's employees filled vacancies in requisitions such that their salaries were below the minimum dollar value of their new salary range.

Oracle did not record the pay decisions it made during focal reviews for base salary, or when administering bonuses or stock in terms of rating and ranking employees and in making pay recommendations and decisions.

Oracle's managers are not required to complete performance reviews or give numeric ratings to their subordinates.

The results of Oracle's background checks may prevent an applicant from receiving an offer.

International transfers from an Oracle affiliate are not subject to background checks.

Oracle has a reputation for only hiring Asians especially from India.

Oracle's employees can begin applying for permanent residence in the United States after being employed for three months.

Oracle hires Chinese and Indian employees because they will stay for a long time to get their green card.

India provides Oracle with highly qualified software engineers who speak English and work for less pay.

The limited dollar amounts provided in Oracle's base salary budgets for base salary increases that are allocated in Oracle result in a significant amount of its employees being underpaid relative to the local job market.

The limited dollar amounts provided in the base salary budgets for base salary increases that are allocated in Oracle result in its employees being paid below the minimum dollar value of the employees' salary range.

The limited dollar amounts provided in the base salary budgets for base salary increases that are allocated in Oracle result in its employees being paid in the first quartile of a salary range when an employee should be placed in a higher quartile because of the employee is experienced, fully competent and a solid performer.

Oracle paid employees below the minimum dollar value of their salary ranges for years.

Oracle paid the same employees below the minimum dollar value of their salary ranges for years.

For an employee working at an Oracle affiliate, e.g., Oracle India Pvt. Ltd., to work at Oracle, this employee, as an international transfer to Oracle, has to terminate his employment at the Oracle affiliate and then be hired as a new employee at Oracle.

All of the facts stated in the Declaration of David Neumark in Support of Plaintiff's Motion for Class Certification dated January 16, 2019, and report attached thereto in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Ali Saad in Support of Defendant Oracle American, Inc.'s Opposition to Plaintiff's Motion for Class Certification dated March 4, 2019, and report attached thereto in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Kate Waggoner in Support of Defendant Oracle America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication and Exhibits A-E attached thereto in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Anje Dodson in Support of Defendant Oracle America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication and Exhibits A-N attached thereto in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Steven Miranda in Support of Defendant Oracle America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication dated January 17, 2019, and Exhibits A-D attached thereto in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Chad Wayne Kidder in Support of Defendant Oracle America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication dated January 11, 2019, in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Vickie Thrasher in Support of Defendant Oracle America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication dated January 9, 2019, in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Joseph Albowicz in Support of Defendant Oracle America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication dated January 10, 2019, in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of James Pat Caldwell in Support of Defendant Oracle

America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication dated January 11, 2019, in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Linda Koos in Support of Defendant Oracle America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication dated January 16, 2019, in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Denise Lee in Support of Defendant Oracle America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication dated January 16, 2019, in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Anshuman Sharma in Support of Defendant Oracle America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication dated January 11, 2019, in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the assertions stated in the Declaration of Rochelle Sutherland in Support of Defendant Oracle America, Inc.'s Motions for Summary Judgment or, in the Alternative, Summary Adjudication dated January 16, 2019, in *Jewett v. Oracle America, Inc.*, case no. 17-civ-02669 in the Superior Court of the State of California, County of San Mateo.

All of the facts stated in the Declaration of Laura C. Bremer in Support of OFCCP's Motion to Compel Oracle's Compensation Analysis dated June 19, 2019, and the exhibits attached thereto (e.g., exhibits 1-47) filed in this matter.

All of the facts stated in the proposed SAC that OFCCP filed in this matter on January 22, 2019, and the SAC that OFCCP filed in this matter on March 8, 2019.

All of the assertions that Oracle made in its Answer to the SAC.

Oracle's "intern rule" causes it to pay higher starting salaries to new hires who formerly worked as interns at Oracle.

Oracle employed more male interns than it did female interns.

All of the factual representations that counsel made about the data and data files that Oracle produced to OFCCP in the following correspondence: October 11, 2017, letter from Erin Connell to Laura Bremer, Marc Pilotin and Ian Eliasoph; November 28, 2017, letter from Jinnifer Pitcher to Marc Pilotin; December 5, 2017, letter from Marc Pilotin to Erin Connell and Jinnifer Pitcher at BSN DOL000039970-74, DOL 000039891; December 8, 2018, letter from Jinnifer Pitcher to Marc Pilotin at BSN DOL000039913-14, DOL000039900; December 18, 2017, letter from Jinnifer Pitcher to Marc Pilotin at BSN DOL000039915-17, DOL000039901; June 28, 2018, letter from Laura Bremer to Erin Connell at BSN DOL000039974-79; June 29, 2018, letter from Jinnifer Pitcher to Laura Bremer at BSN DOL000039918-27, DOL000039902; July 6, 2018, letter from Laura Bremer to

Jinnifer Pitcher at BSN DOL000039980-82, DOL0000398893; July 13, 2018, letter from Jinnifer Pitcher to Laura Bremer at BSN DOL000039928-30, DOL000039903; February 27, 2019, letter from Kathryn Mantoan to Laura Bremer; February 27, 2019, letter from Kathryn Mantoan to Laura Bremer; April 12, 2019, letter from Kathryn Mantoan to Laura Bremer; May 24, 2019, letter from Kathryn Mantoan to Laura Bremer; May 28, 2019, email from Kathryn Mantoan to Laura Bremer; May 30, 2019, letter from Kathryn Mantoan to Laura Bremer; May 31, 2019, letter from Kathryn Mantoan to Laura Bremer; June 7, 2019, letter from Jinnifer Pitcher to Laura Bremer; June 28, 2019, e-mail from Kathryn Mantoan to Jeremiah Miller.

Oracle's correspondence, including e-mails, providing or explaining its policies, procedures, guidelines, practices or submissions at Bates Stamp Number ("BSN") DOL 000000034, DOL 000000926-31, DOL 000000943-54, DOL 000000987-1006, DOL 000001027-34, DOL 000001053-58, DOL 000001087-91, DOL 000001093-97, DOL 000001128-34, DOL 000001143, DOL 000001174-76, DOL 000001180-84, DOL 000001193-1204, DOL 000001212-13, DOL 000001233-34, DOL 000001237-40, DOL 000001243-46, DOL 000001322-23, DOL 000001327-45, DOL 000001350-58, DOL 000001362-66, DOL 000001395-1406, DOL 000037175-78, DOL 000037528-33, DOL 000038548-57, DOL 000038673-77, DOL 000038764-67, DOL 000038876-95, DOL 000038898-06, DOL 000039128-29.

Oracle's compensation packages contain facts regarding what elements of a compensation package (base pay, variable pay, stock, bonus, restricted stock units, relocation, car, travel, sign on bonuses, other bonuses) are given to different employees or types of positions at Oracle at BSN

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Interviews of Oracle personnel provided information about Oracle's payroll policies, practices, guidelines and procedures and how they were implemented at BSN DOL 000000507-904, 000036573-806, 000039030-37, 000039151-73, 000040762-41129. *See* summaries in the supplemental responses to Interr. No. 49, *supra*.

Oracle's documents at BSN ORACLE_HQCA_0000003234, ORACLE_HQCA_0000024495, ORACLE_HQCA_0000026763, ORACLE_HQCA_0000026853, ORACLE_HQCA_0000027604 contain facts pertaining to how Oracle handles the hiring and compensation for domestic and international transfers.

Oracle's Affirmative Action Program ("AAP") information at BSN DOL 000004377-4710, 000032150-52, 000031982-98, 000031999-32132 provided information related to Oracle's general AAP plan; responsibilities under Oracle's AAP; AAP goals and AAP problem areas; how Oracle organized its job titles by both job group and organization/work force; identified the numbers of its employees in these job groups and job titles by: total, gender, total for all minorities, specific totals for individual minorities, and percentages; identified the numbers of its employees in these organizations/work forces and job titles by: salary total, EEO code, female gender total, total for all minorities, specific totals for individual minorities, and percentages; and provided detailed job information for each job position such as: job code, job title, job function, global career level, brief and detailed descriptions and job responsibilities.

Oracle's race categories are at BSN DOL 000004721.

All of the facts in Oracle's "Analysis of Pay at Oracle" documents that Oracle drafted and provided to OFCCP in response to an OFCCP audit at BSN DOL 000004723, DOL000006328, DOL000037514, ORACLE_HQCA_0000004734, 0000006340, ORACLE_HQCA_0000382599, ORACLE_HQCA_0000382604-07, ORACLE_HQCA_0000382612-13,

ORACLE_HQCA_0000382628, ORACLE_HQCA_0000382633, ORACLE_HQCA_0000382651, ORACLE_HQCA_0000382656-57.

All of the facts stated in “Compensation Review an Oversight” a document that Oracle drafted and provided to OFCCP in response to an OFCCP audit at BSN DOL 000004724.

All of the facts stated in the printout from Oracle’s Manager Resource Guide US for “Rewarding: Base salary” at BSN DOL000004725.

Wage determination memos contained in the Labor Condition Applications (“LCAs”) that Oracle provided for employees working under H-1B status at BSN DOL 000006523-6620, 000006689-6715, 000007261-8040, 000008100-12674, 000033204-35301. These memos, their LCAs and notices, inter alia, contain wage range information for different job titles and position descriptions.

The documents at ORACLE_HQCA_0000008623, ORACLE_HQCA_0000009849 contain facts regarding the consequences of incorrect job codes.

Oracle compensation practices, guidelines, procedures and compensation to be offered to college hires at BSN ORACLE_HQCA_0000008631, ORACLE_HQCA_0000012587, ORACLE_HQCA_0000023661-64, ORACLE_HQCA_0000023717, ORACLE_HQCA_0000007141, ORACLE_HQCA_0000009498, ORACLE_HQCA_0000011574, ORACLE_HQCA_0000011746, ORACLE_HQCA_0000056913, ORACLE_HQCA_0000380145, ORACLE_HQCA_0000380195, ORACLE_HQCA_0000380450-54, .

The documents at ORACLE_HQCA_0000012265, ORACLE_HQCA_0000012280 contain facts regarding the interchangeability of job codes.

The documents at ORACLE_HQCA_0000013351, ORACLE_HQCA_0000024495 contain facts regarding how Oracle handles relocation.

The documents at ORACLE_HQCA_0000013421, ORACLE_HQCA_0000013761 contains facts regarding Oracle’s approval process.

The documents at ORACLE_HQCA_0000022957, ORACLE_HQCA_0000023000 contain facts pertaining to who stock should be issued to in the United States, the percentage caps that Oracle puts on issuing stock and Oracle’s fiscal year.

Oracle’s critical hire documents contain facts pertaining to information about the person to include his background capabilities, experience, skills, education and accomplishments; current compensation (salary, bonus, stock, relocation, sign-on); compensation by Oracle’s competitors; and compensation that Oracle was proposing at BSN ORACLE_HQCA_0000026187 - ORACLE_HQCA_0000026188, ORACLE_HQCA_0000026768 - ORACLE_HQCA_0000026768, ORACLE_HQCA_0000026769 - ORACLE_HQCA_0000026771, ORACLE_HQCA_0000026777 - ORACLE_HQCA_0000026778, ORACLE_HQCA_0000026789 - ORACLE_HQCA_0000026791, ORACLE_HQCA_0000026833 - ORACLE_HQCA_0000026836, ORACLE_HQCA_0000026839 - ORACLE_HQCA_0000026841, ORACLE_HQCA_0000026842 - ORACLE_HQCA_0000026844, ORACLE_HQCA_0000026879 - ORACLE_HQCA_0000026882, ORACLE_HQCA_0000026885 - ORACLE_HQCA_0000026889,

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Oracle's dive and save documents contain facts pertaining to dive and save budgets, current compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; proposed new compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; and justifications for dive and saves at BSN ORACLE_HQCA_0000026829 -

ORACLE_HQCA_0000026832, ORACLE_HQCA_0000041813, ORACLE_HQCA_0000056234, ORACLE_HQCA_0000361863 - ORACLE_HQCA_0000361864, ORACLE_HQCA_0000361960, ORACLE_HQCA_0000362030 - ORACLE_HQCA_0000362032, ORACLE_HQCA_0000362033 - ORACLE_HQCA_0000362035, ORACLE_HQCA_0000362687, ORACLE_HQCA_0000362700 - ORACLE_HQCA_0000362704, ORACLE_HQCA_0000363208 - ORACLE_HQCA_0000363210, ORACLE_HQCA_0000363554 - ORACLE_HQCA_0000363555, ORACLE_HQCA_0000363626 - ORACLE_HQCA_0000363627, ORACLE_HQCA_0000070730, ORACLE_HQCA_0000070738, ORACLE_HQCA_0000070746, ORACLE_HQCA_0000070747, ORACLE_HQCA_0000070755-60, ORACLE_HQCA_0000070814 - ORACLE_HQCA_0000070815, ORACLE_HQCA_0000071031, ORACLE_HQCA_0000071035, ORACLE_HQCA_0000071331, ORACLE_HQCA_0000071450 - ORACLE_HQCA_0000071456, ORACLE_HQCA_0000071575 - ORACLE_HQCA_0000071577, ORACLE_HQCA_0000071578 - ORACLE_HQCA_0000071584, ORACLE_HQCA_0000071592 - ORACLE_HQCA_0000071593, ORACLE_HQCA_0000071662 - ORACLE_HQCA_0000071664, ORACLE_HQCA_0000071683-87, ORACLE_HQCA_0000071699 - ORACLE_HQCA_0000071705, ORACLE_HQCA_0000071725 - ORACLE_HQCA_0000071726, ORACLE_HQCA_0000071771-73 - ORACLE_HQCA_0000071775, ORACLE_HQCA_0000071832, ORACLE_HQCA_0000071849 - ORACLE_HQCA_0000071850, ORACLE_HQCA_0000071865 - ORACLE_HQCA_0000071866, ORACLE_HQCA_0000081427, ORACLE_HQCA_0000128176, ORACLE_HQCA_0000380437, ORACLE_HQCA_0000423705, ORACLE_HQCA_0000423799 - ORACLE_HQCA_0000423800, ORACLE_HQCA_0000426368 - ORACLE_HQCA_0000426369, ORACLE_HQCA_0000426665, ORACLE_HQCA_0000428255, ORACLE_HQCA_0000430393, ORACLE_HQCA_0000431722 - ORACLE_HQCA_0000431728, ORACLE_HQCA_0000432004 - ORACLE_HQCA_0000432006, ORACLE_HQCA_0000433067 - ORACLE_HQCA_0000433072, ORACLE_HQCA_0000433349 - ORACLE_HQCA_0000433351, ORACLE_HQCA_0000433359 - ORACLE_HQCA_0000433365, ORACLE_HQCA_0000433707 - ORACLE_HQCA_0000433708, ORACLE_HQCA_0000434714 - ORACLE_HQCA_0000434716, ORACLE_HQCA_0000434864-68, ORACLE_HQCA_0000434973 - ORACLE_HQCA_0000434979, ORACLE_HQCA_0000435995 - ORACLE_HQCA_0000435997, ORACLE_HQCA_0000436234 - ORACLE_HQCA_0000436246, ORACLE_HQCA_0000436888, ORACLE_HQCA_0000437051 - ORACLE_HQCA_0000437052, ORACLE_HQCA_0000437336 - ORACLE_HQCA_0000437337, ORACLE_HQCA_0000437617, ORACLE_HQCA_0000437696 - ORACLE_HQCA_0000437701, ORACLE_HQCA_0000450165 - ORACLE_HQCA_0000450166, ORACLE_HQCA_0000544846 - ORACLE_HQCA_0000545105, ORACLE_HQCA_0000581272, ORACLE_HQCA_0000581355 - ORACLE_HQCA_0000581360, ORACLE_HQCA_0000581395, ORACLE_HQCA_0000581434, ORACLE_HQCA_0000591131 - ORACLE_HQCA_0000591132

and the following meta files from Oracle's 11th production produced on November 28, 2017, wherein the documents produced did not have BSNs: Bipin_TK_Pre-approval.docx; Dive and Save template [REDACTED].xls; FW REVIEW AND APPROVAL REQUESTED Dive and Save [REDACTED] LOB.pdf; FW APPROVED D&S request for [REDACTED], IC3 (U.S) (DUE Feb 6th).eml; [REDACTED] Dive and Save.xls; [REDACTED] DiveAndSaveTemplate.pdf; [REDACTED] Dive and Save 7-7-17.docx; [REDACTED] Dive and Saves for [REDACTED].eml;

[REDACTED] DiveAndSaveApprovalEmail.pdf. Additionally, the documents that Oracle initially

produced in response to the Court’s Motion to Compel Order dated September 11, 2017, that ordered Oracle to produce documents within 30 days of the issuance date of that Order were not bates stamped. The non-bates stamped documents that Oracle produced in and around October 11, 2017, were contained in two folders labeled “I” and “II.” Oracle identified the documents in folder I as pertaining to compensation and the documents in folder II as pertaining to hiring. Located in folder I were scores upon scores of dive and save requests that OFCCP identifies here.

A document at BSN ORACLE_HQCA_0000027021-24 contains compensation facts related to an offer of employment.

Oracle’s iRecruitment requisitions and job announcement documents contain facts pertaining to posting date; requisition number/vacancy name; hiring manager; job code; job function; job specialty; global career level; professional area; amount of travel; job posting title; job title; organization’s name; work location; job description; job requirements; duties and responsibilities; preferred qualifications and experience; pre-employment screening to include verifications; commitment to creating a diverse environment and being an equal opportunity employer; scope of position; technical traits; opportunities provided by the job to be visible, influence, lead and work as part of a team at BSN ORA0027412 - ORA0027413, ORA0028508 - ORA0028509, ORA0029029 - ORA0029030, ORACLE_HQCA_0000015195 - ORACLE_HQCA_0000015196, ORACLE_HQCA_0000031652, ORACLE_HQCA_0000031653 - ORACLE_HQCA_0000031654, ORACLE_HQCA_0000032060 - ORACLE_HQCA_0000032061, ORACLE_HQCA_0000032130 - ORACLE_HQCA_0000032131, ORACLE_HQCA_0000032138 - ORACLE_HQCA_0000032139, ORACLE_HQCA_0000032161, ORACLE_HQCA_0000032162 - ORACLE_HQCA_0000032163, ORACLE_HQCA_0000032166, ORACLE_HQCA_0000032167 - ORACLE_HQCA_0000032168, ORACLE_HQCA_0000032171, ORACLE_HQCA_0000032172 - ORACLE_HQCA_0000032173, ORACLE_HQCA_0000032176, ORACLE_HQCA_0000032177 - ORACLE_HQCA_0000032178, ORACLE_HQCA_0000032180, ORACLE_HQCA_0000032181 - ORACLE_HQCA_0000032182, ORACLE_HQCA_0000032189 - ORACLE_HQCA_0000032190, ORACLE_HQCA_0000032250, ORACLE_HQCA_0000032258, ORACLE_HQCA_0000032339 - ORACLE_HQCA_0000032340, ORACLE_HQCA_0000032344, ORACLE_HQCA_0000032356, ORACLE_HQCA_0000032357 - ORACLE_HQCA_0000032358, ORACLE_HQCA_0000032404 - ORACLE_HQCA_0000032405, ORACLE_HQCA_0000032424, ORACLE_HQCA_0000032429 - ORACLE_HQCA_0000032430, ORACLE_HQCA_0000032437, ORACLE_HQCA_0000032440 - ORACLE_HQCA_0000032441, ORACLE_HQCA_0000032444 - ORACLE_HQCA_0000032445, ORACLE_HQCA_0000032457 - ORACLE_HQCA_0000032458, ORACLE_HQCA_0000032475, ORACLE_HQCA_0000032502, ORACLE_HQCA_0000032505, ORACLE_HQCA_0000032515 - ORACLE_HQCA_0000032516, ORACLE_HQCA_0000032555, ORACLE_HQCA_0000032556, ORACLE_HQCA_0000032583, ORACLE_HQCA_0000032585 - ORACLE_HQCA_0000032586, ORACLE_HQCA_0000032621 - ORACLE_HQCA_0000032622, ORACLE_HQCA_0000032667 - ORACLE_HQCA_0000032668, ORACLE_HQCA_0000032675 - ORACLE_HQCA_0000032676, ORACLE_HQCA_0000032699 - ORACLE_HQCA_0000032700, ORACLE_HQCA_0000032702 - ORACLE_HQCA_0000032703, ORACLE_HQCA_0000032707 - ORACLE_HQCA_0000032708, ORACLE_HQCA_0000032729, ORACLE_HQCA_0000032731 - ORACLE_HQCA_0000032732, ORACLE_HQCA_0000032745 - ORACLE_HQCA_0000032746, ORACLE_HQCA_0000032792, ORACLE_HQCA_0000032807 - ORACLE_HQCA_0000032808, ORACLE_HQCA_0000032839 - ORACLE_HQCA_0000032840, ORACLE_HQCA_0000032850 - ORACLE_HQCA_0000032851, ORACLE_HQCA_0000032854 - ORACLE_HQCA_0000032855, ORACLE_HQCA_0000032858 - ORACLE_HQCA_0000032859, ORACLE_HQCA_0000032861 -

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All the facts stated in a Radford Survey at BSN DOL 000034179-81.

Oracle's written compensation policies, procedures and practices in its U.S. Employee Handbook at BSN DOL 000037217-23.

All of the facts in the articles at BSN DOL 000037746-47, 000037792, 000037795-99, 000037803-04, 000037809-10, 000037818-25, 000037827-34, 000038754-55, 000039442-43, 000039446-39790, 000039832-74 and at the following URLs:

- <http://www.oracle.com/us/corporate/press/executives/016380.htm>;

- <http://www.thehindu.com/business/Industry/new-oracle-chiefs-kerala-roots/article6775912.ece>;
- <https://www.oracle.com/corporate/citizenship/workforce/diversity.html>;
- http://guestworkerdata.org/wp-content/uploads/2014/02/H1BNationalFactsheet11_13_13FINAL.pdf;
- http://www.lpfi.org/wp-content/uploads/2015/04/code2040_lpfi_final.pdf;
- <http://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/H1B/h1b-fy-12-characteristics.pdf>;
- <http://www.nytimes.com/2015/11/11/us/large-companies-game-H1B-visa-program-leaving-smaller-ones-in-the-cold.html>;
- http://www.nytimes.com/interactive/2015/11/06/us/outsourcing-companies-dominate-h1b-visas.html?_r=0;
- http://www.nytimes.com/interactive/2015/11/06/us/outsourcing-companies-dominate-h1b-visas.html?_r=1;
- <http://www.epi.org/press/1b-visa-program-attracting-brightest-workers/>;
- <http://www.epi.org/files/2013/outstanding-talent-high-skilled-immigration.pdf>;
- <http://www.eeoc.gov/policy/docs/national-origin.html>;
- <http://www.eeoc.gov/eeoc/newsroom/release/8-28-14.cfm>;
- https://blogs.oracle.com/campusrecruitment/entry/my_journey_from_college_to;
- <https://www.sec.gov/Archives/edgar/data/1341439/000119312514251351/d725622d10k.htm>;
- <https://www.usatoday.com/story/tech/2014/10/12/silicon-valley-diversity-tech-hiring-computer-science-graduates-african-american-hispanic/14684211/>;
- <http://www.sfgate.com/bayarea/article/Oraclescozinesswithgovernmentgoesbackto2820370.Php>;
- <https://www.eeoc.gov/eeoc/statistics/reports/hightech/>;
- https://c.ymcdn.com/sites/ascendleadership.site-ym.com/resource/resmgr/Research/HiddenInPlainSight_Paper_042.pdf;
- <http://www.cxotoday.com/story/why-india-is-becoming-so-important-for-oracle/>.

All the facts stated in the portion of a Radford Survey at BSN DOL 000038079-81 for the management and professional individual contributor job level charts.

Oracle's Schedule 14A filing with the United States Securities and Exchange Commission at BSN DOL000038228-370 contains facts pertaining to stockholder proposal regarding a pay equity report, the opposition thereto and the decision by Oracle's Board of Directors regarding it.

OFCCP's initial scheduling letter and communications between OFCCP and Oracle, to include their agents, during OFFCP's investigation contain facts related to information and documents that OFCCP requested and Oracle's responses thereto to include the documents that OR produced in response thereof at BSN DOL 000038536-38, ORACLE_HQCA_0000417302-06, ORACLE_HQCA_000000001-5683, DOL000000986 - DOL000000986, DOL000000987 - DOL000000997, DOL000001007 - DOL000001009, DOL000001010 - DOL000001011, DOL000001012 - DOL000001012, DOL000001013 - DOL000001024, DOL000001025 - DOL000001026, DOL000001027 - DOL000001028, DOL000001029 - DOL000001030,

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DOL000001289, DOL000001290 - DOL000001290, DOL000001291 - DOL000001291, DOL000001292 - DOL000001294, DOL000001295 - DOL000001296, DOL000001298 - DOL000001298, DOL000001299 - DOL000001301, DOL000001302 - DOL000001303, DOL000001304 - DOL000001305, DOL000001306 - DOL000001306, DOL000001307 - DOL000001308, DOL000001309 - DOL000001313, DOL000001314 - DOL000001314, DOL000001315 - DOL000001319, DOL000001320 - DOL000001321, DOL000001322 - DOL000001323, DOL000001324 - DOL000001325, DOL000001326 - DOL000001326, DOL000001327 - DOL000001328, DOL000001329 - DOL000001330, DOL000001331 - DOL000001332, DOL000001333 - DOL000001334, DOL000001335 - DOL000001335, DOL000001336 - DOL000001339, DOL000001340 - DOL000001342, DOL000001343 - DOL000001344, DOL000001345 - DOL000001345, DOL000001352 - DOL000001352, DOL000001353 - DOL000001355, DOL000001356 - DOL000001358, DOL000001359 - DOL000001360, DOL000001361 - DOL000001361, DOL000001365 - DOL000001366, DOL000001367 - DOL000001367, DOL000001368 - DOL000001368, DOL000001369 - DOL000001369, DOL000001391 - DOL000001391, DOL000001392 - DOL000001394, DOL000001395 - DOL000001406, DOL000001407 - DOL000001407, DOL000001408 - DOL000001408, DOL000001409 - DOL000001409, DOL000001410 - DOL000001410, DOL000001411 - DOL000001411, DOL000001412 - DOL000001412, DOL000001413 - DOL000001413, DOL000001419 - DOL000001421, DOL000001422 - DOL000001422, DOL000001423 - DOL000001423, DOL000001424 - DOL000001424, DOL000001426 - DOL000001426, DOL000001427 - DOL000001427, DOL000001430 - DOL000001430, DOL000001431 - DOL000001431, DOL000001432 - DOL000001432, DOL000001434 - DOL000001434, DOL000001435 - DOL000001435, DOL000001436 - DOL000001436, DOL000001437 - DOL000001437, DOL000001438 - DOL000001438, DOL000001439 - DOL000001439, DOL000001441 - DOL000001441, DOL000001442 - DOL000001442, DOL000001446 - DOL000001446, DOL000001447 - DOL000001447, DOL000001448 - DOL000001448, DOL000001449 - DOL000001449, DOL000001451 - DOL000001451.

The documents at BSN DOL 000038536-38, DOL 000038576-78, DOL 000038576-78, DOL 000038592-94, DOL 000039027-29, DOL 000039038-42, ORACLE_HQCA_0000000273-77 ORACLE_HQCA_0000000281-88, ORACLE_HQCA_0000002056, ORACLE_HQCA_0000002058-66, ORACLE_HQCA_0000002068-78 ORACLE_HQCA_0000002081-88, ORACLE_HQCA_0000002097-115, ORACLE_HQCA_0000002118-20, ORACLE_HQCA_0000002122-23, ORACLE_HQCA_000049203-05, ORACLE_HQCA_0000053460-62, ORACLE_HQCA_0000414346-58, ORACLE_HQCA_0000414361-63, Gary Siniscalco's April 18, 2017, declaration for paragraphs 1-8, 11-17 together with Exhibits I-V of that declaration, Shauna Holman-Harries April 20, 2017, declaration for paragraphs 8-10 together with Exhibits E-G of that declaration, Jane Suhr's May 12, 2017, declaration for paragraphs 1-9, OFCCP's Opposition to Oracle's Motion for Summary Judgement on The Issue of OFCCP's Conciliation Efforts dated May 12, 2017, contain facts pertaining to OFCCP issuing a Notice of Violation and a Show Cause Notice and the communications between the parties related to those notices to include the discrimination and record keeping claims therein and conciliation.

Facts pertaining to the information and documents exchanged between Oracle employees and OFCCP's counsel pertaining to job offers, job terminations, gender, race, national origin, terms and conditions of employment, last or current salary, Oracle reviewing pay and making pay adjustments

effective in 2019, Warn Act Notice, PIP and performance evaluation information and responses thereto, details of Oracle employees leaving its employ, comments on meetings, employee suggestions and capabilities of tools, work updates and results, training, modeling, teleworking, promoting teaming, job vacancies, awards, W-2/earning statements, pay stub, Aria information, complaints, Oracle's response to DOL's discrimination claims, responses to interviews, initial DOL outreach, employee's education and experience, compensation received from Oracle, contact information, dates of employment with Oracle, line of business at BSN 000040023-760.

Facts stated in the interview statement that OFCCP prepared that Lisa Gordon revised and the February 10, 2015, e-mail that Shauna Holman-Harries used to provide OFCCP with these revisions at BSN DOL 000039993-40002, DOL000039917-18.

Facts stated in the interview statement that Lisa Gordon signed after OFCCP incorporated her revisions and the e-mail that Shauna Holman-Harries used to provide OFCCP with Lisa Gordon's signed interview at BSN DOL 000040003-22, ORACLE_HQCA_0000000423-41, DOL000039915-16.

Oracle's "Management Dashboard Diversity, Inclusion and Compliance" at BSN ORACLE_HQCA_0000041958, ORACLE_HQCA_0000058221 contain facts pertaining to affirmative action shortfall areas, goals for those shortfall areas by location to include Oracle's headquarters, strategic action plan for addressing these goals to include a call to action by Oracle's LOB leaders, representation data from 1996 to 2012 by race and gender and U.S. EEO-1 information.

Oracle's untitled document at BSN ORACLE_HQCA_0000042098 contains facts pertaining to Oracle's compensation philosophy; Oracle's compensation components; Oracle's compensation system fundamentals to include its Global Job Table and components thereof; salary ranges to include their use and creation; compa-ratio to include its use and creation; the mapping of jobs at Oracle; managing pay decisions; pay factors to consider when hiring, promoting and transferring employees; recording the reasons for salary decisions; and Oracle's global compensation programs.

All of the facts related to offers stated in "Hiring Your People" for slides 11-24, 27 at BSN ORACLE_HQCA_0000053246.

All of the facts related to offers stated in "Global OTA Methodology & Process Global OTA New Hire Orientation – Section 2" at BSN ORACLE_HQCA_0000056225.

All of the facts related to offers stated in "Global OTA Methodology & Process Global OTA New Hire Orientation – Section 3" for slides 7-9 at BSN ORACLE_HQCA_0000056226.

Oracle's "Managing Compensation" at BSN ORACLE_HQCA_0000056234 contains facts pertaining to Oracle's compensation system fundamentals to include its Global Job Table and components thereof; salary ranges to include their use and creation; compa-ratio to include its use and creation; individual contributor and manager global career level characteristics; the relationship of job code to salary grade to salary ranges; salary range quartiles and the employee's proficiency at each; managing pay decisions; pay factors to consider when hiring, promoting and transferring employees to include justifications; whether the salary and career level of transfers should be changed and what factors would justify change; the factors Oracle considers to justify an international transfer; off-cycle

pay increases; recording the reasons for salary decisions; and Oracle's global compensation programs.

Oracle's documents at "US Manager Orientation" at BSN ORACLE_HQCA_0000056362, ORACLE_HQCA_0000042091, ORACLE_HQCA_0000042191 contain facts pertaining to Oracle's talent management, roles and responsibilities of managers, core competencies, employee lifecycle, managing performance, developing employees, career development, rewarding and recognizing employees, compensation components, compensation system fundamentals to include its Global Job Table and components thereof, managing the pay of new hires and internal transfers, salary ranges to include their use.

Oracle's "Opening a Vacancy" at BSN ORACLE_HQCA_0000056633 at slides 10-21 and their notes contain facts pertaining to creating a job offer, the "offer template," approval process for an offer to include the information present for review and who reviews, the justification for an offer, background checks, and how offers are handled for internal transfers and rehires.

All of the facts stated for "Step 8: Offer Workflow" at BSN ORACLE_HQCA_0000056913-5.

All of the facts identified in Oracle's "Global Approval Matrix" for the following categories: hiring, assignment, dollars, stock and transfers; the localized exceptions for this matrix for the United States; and the Rules for this approval matrix at BSN ORACLE_HQCA_0000062710-32, ORACLE_HQCA_0000382179, ORACLE_HQCA_0000400169-80, ORACLE_HQCA_0000400182-95, ORACLE_HQCA_0000400197-207, ORACLE_HQCA_0000400208-19, ORACLE_HQCA_0000400220-32, ORACLE_HQCA_0000400233-45.

The following documents contain facts pertaining to the meaning of the term "salary compression," the cause of salary compression and the effects of salary compression on the pay of Oracle's employees at BSN ORACLE_HQCA_0000070730, ORACLE_HQCA_0000070738, ORACLE_HQCA_0000070746, ORACLE_HQCA_0000070747, ORACLE_HQCA_0000070754, ORACLE_HQCA_0000070755, ORACLE_HQCA_0000070756, ORACLE_HQCA_0000071697 - ORACLE_HQCA_0000071698, ORACLE_HQCA_0000071738 - ORACLE_HQCA_0000071739, ORACLE_HQCA_0000071741, ORACLE_HQCA_0000580226 - ORACLE_HQCA_0000580238, ORACLE_HQCA_0000423226 - ORACLE_HQCA_0000423232, ORACLE_HQCA_0000434971 - ORACLE_HQCA_0000434972, ORACLE_HQCA_0000435417 - ORACLE_HQCA_0000435418, ORACLE_HQCA_0000435427, ORACLE_HQCA_0000444916 - ORACLE_HQCA_0000444919, ORACLE_HQCA_0000472615 - ORACLE_HQCA_0000472638, ORACLE_HQCA_0000581393, ORACLE_HQCA_0000581395.

Oracle's document at ORACLE_HQCA_0000080929 contains the following facts: name of employee and employer, year, amounts earned in that year, amounts withheld in that year, and title of the document as a 2010 W-2 and Earnings Summary.

OFCCP identifies the following facts from the tens of thousands of resumes that Oracle produced: full names, gender, race, work experience, names of colleges attended, degrees attained, majors attained, and fields of study. An example of almost 40,000 pages of these resumes is at BSN ORACLE_HQCA_0000089026-128174. This example does not include the following documents:

BSN ORACLE_HQCA_0000091761, ORACLE_HQCA_0000094395, ORACLE_HQCA_0000097973, ORACLE_HQCA_0000101656, ORACLE_HQCA_0000104171, ORACLE_HQCA_0000107077, ORACLE_HQCA_0000110010, ORACLE_HQCA_0000112877, ORACLE_HQCA_0000115836, ORACLE_HQCA_0000118772, ORACLE_HQCA_0000121270, ORACLE_HQCA_0000123814, ORACLE_HQCA_0000126154. To segregate out and list the bates stamp numbers for over 100,000 pages of resumes is unduly burdensome and not proportional. Additionally, the documents that Oracle initially produced in response to the Court's Motion to Compel Order dated September 11, 2017, that ordered Oracle to produce documents within 30 days of the issuance date of that Order were not bates stamped.⁵⁹ The non-bates stamped documents that Oracle produced in and around October 11, 2017, were contained in two folders labeled "I" and "II." Oracle identified the documents in folder I as pertaining to compensation and the documents in folder II as pertaining to hiring. Located in folders I and II were thousands upon thousands of resumes that OFCCP identifies here that are in addition to the resume information that Oracle provided in that folder that was by fiscal year and initials of a person's last name such that there were two to three large pdf files of resume information for each fiscal year from 2013 to 2018. Erring on the side of caution, OFCCP is also identifying here the resume information that Oracle provided in the very large pdf files that were by fiscal year (2013-2018) and the files that were titled by the initials of a person's last name.

Oracle's "Global compensation training, Salary Ranges at Oracle" at BSN ORACLE_HQCA_00000364272 contains facts identifying what salary ranges are, how they are created and changed, why Oracle has them and how they should be used for compensation; facts pertaining to compa-ratios in terms of what they are, how they are created, why Oracle has them and how they should be used; facts pertaining to salary grades to include jobs having the same salary grades across various functions and global career levels and jobs being equal in value; how salary increase budgets are set and the effect of adding or removing employees to the budget worksheet; and facts pertaining to compensation trends at Oracle and key considerations for establishing pay.

Oracle's "Global Compensation Training Americas Region Module" at BSN ORACLE_HQCA_00000364273 contains facts in slides 12, 14 and 16 and their notes pertaining to choosing the correct job code, workforce approvals and notifications, geographical differentials in the United States and information workbench.

Oracle's "Global Compensation Training Americas Region Module" at BSN ORACLE_HQCA_00000364273 contains facts in slides 12, 14 and 16 and their notes pertaining to choosing the correct job code, workforce approvals and notifications, geographical differentials in the United States and information workbench.

Oracle's "Global Compensation Training Managing Compensation at Oracle – an introduction" at BSN ORACLE_HQCA_00000364275 contains facts in slides 4-10 and their notes pertaining to Oracle's compensation principles and objectives; Oracle's position regarding base salary, bonus, and stock; and information workbench.

⁵⁹ While Oracle claims that it subsequently produced these documents weeks later with bates stamp numbers, OFCCP, erring on the side of caution is also identifying the documents that Oracle produced in these folders too.

All the facts from the printout from Oracle's MY.ORACLE website for "Job Changes and Discretionary Titles" at BSN ORACLE_HQCA_0000364278-79, ORACLE_HQCA_0000382403-04.

All the facts from the printout from Oracle's MY.ORACLE website for "Salary Ranges" at BSN ORACLE_HQCA_0000364299-300.

All the facts from the printout from Oracle's MY.ORACLE website for "Total Compensation" at BSN ORACLE_HQCA_0000364301-03.

Oracle's "Oracle Compensation & Mapping" at BSN ORACLE_HQCA_0000380148, ORACLE_HQCA_0000380936; "Q4FY15 HR Webinar Oracle Compensation" at ORACLE_HQCA_0000042095, ORACLE_HQCA_0000056391, ORACLE_HQCA_00000400403, ORACLE_HQCA_00000400452; and "Oracle Compensation M&A Orientation Meeting" at BSN ORACLE_HQCA_0000400453-67, contain facts pertaining to Oracle's compensation philosophy, Oracle's compensation components, Oracle's compensation system fundamentals to include its Global Job Table and components thereof, the mapping of jobs at Oracle, managing pay decisions, and Oracle's global compensation programs.

Oracle's "Performance Appraisals FY15" at BSN ORACLE_HQCA_0000380158 contains facts pertaining to Oracle's performance evaluations to include start and completion rates from FY2012 to FY2015, the frequency of final ratings, the importance of completed performance evaluations.

Oracle's "Manager Essentials Product Development" at BSN ORACLE_HQCA_0000380457-555 contains facts pertaining to manager's roles and responsibilities, core and functional competencies, employee lifecycle, managing talent and performance, developing employees and managers, career development, rewarding and recognizing employees, promotions, transfers, and resources available.

All of the facts stated in "Oracle Compensation Guidelines" documents that Oracle drafted and provided to OFCCP in response to an OFCCP audit at BSN ORACLE_HQCA_0000380594-97, ORACLE_HQCA_0000382600-03, ORACLE_HQCA_0000382608-11, ORACLE_HQCA_0000382614-17, ORACLE_HQCA_0000382619-22, ORACLE_HQCA_0000382623-26, ORACLE_HQCA_0000382629-32, ORACLE_HQCA_0000382634-37, ORACLE_HQCA_0000382638-41, ORACLE_HQCA_0000382642-45, ORACLE_HQCA_0000382646-49, ORACLE_HQCA_0000382652-55, ORACLE_HQCA_0000400313-16, DOL 000004726-29.

All of the facts identified in Oracle's "HR Global Approval Matrix User Guide" at BSN ORACLE_HQCA_0000381074-76.

The following documents contain facts related to Oracle's policies, practices, guidelines and actions for seeking an applicant's current or prior salary or compensation during the application process at BSN ORACLE_HQCA_0000381077-79, ORACLE_HQCA_0000381098-99, ORACLE_HQCA_0000381100, ORACLE_HQCA_0000381101-14, ORACLE_HQCA_0000381115-17, ORACLE_HQCA_0000381118-37, ORACLE_HQCA_0000399195-207, ORACLE_HQCA_0000399286-87, ORACLE_HQCA_0000399288-90, ORACLE_HQCA_0000399291-399310,

ORACLE_HQCA_0000399311-399313, ORACLE_HQCA_0000400555-57.

All of the facts identified in Oracle's "Global Job Classification" at BSN ORACLE_HQCA_0000381080, ORACLE_HQCA_0000400010-11, ORACLE_HQCA_0000400352.

Oracle's "Global Compensation Guidelines Training North America: US" at BSN ORACLE_HQCA_0000382399 at slides 1-6, 10-28 and 31-36 and their notes contain facts pertaining to how to use the guidelines and the general principals, considerations and examples for internal transfer, international transfer, promotion, rehire, external hire, and "ad hoc feeder groups."

All of the facts from the printout from Oracle's MY.ORACLE website for "Oracle's Compensation Philosophy" at BSN ORACLE_HQCA_0000382402.

Oracle's "Oracle Compensation Overview" at BSN ORACLE_HQCA_0000400468-87 contains facts pertaining to Oracle's global job architecture and the components thereof; the relationship of job code to salary grade to salary ranges; salary range quartiles and the employee's proficiency at each; Oracle's compensation components and programs; compensation transactions related to new hire, rehire, promotion, internal transfer and international transfer to include justifications; managing pay decisions; and individual contributor and manager global career level characteristics.

Oracle's "Accelerated Hiring Process" at BSN ORACLE_HQCA_0000400489-518, ORACLE_HQCA_0000380983-ORACLE_HQCA_0000381013 contain facts pertaining to the methods to use to properly compensate new hires; the roles of key players; compensation considerations to include key elements, fairness and equity; evaluation of components of Oracle's Global Job Table; salary range quartiles and the new hire's proficiency at each; justifications and approvals to support new hire; compliance review checklist; and individual contributor and manager global career level characteristics.

Pay, race and gender complaints about Oracle and, at times, its responses thereto at BSN ORACLE_HQCA_0000414176-80, ORACLE_HQCA_0000416510-11, ORACLE_HQCA_0000416515-25, ORACLE_HQCA_0000416837, ORACLE_HQCA_0000417061-63, ORACLE_HQCA_00000627-56, ORACLE_HQCA_0000547809-10, ORACLE_HQCA_0000417067-164, contain information pertaining to the pay, race or gender complaint; at times, the investigations that Oracle allegedly performed; and whether merit was found for the complaints.

Oracle's "Affirmative Action at Oracle" at BSN "ORACLE_HQCA_0000417320-58 contains facts pertaining to the spirit and intent of Oracle's affirmative action; Oracle's affirmative action: policy, obligations, responsibilities, strategy, plan components, compliance; purpose of affirmative action; and OFCCP compliance reviews.

Oracle's videos titled "Workforce Compensation – Compensation Worksheet Overview" at BSN ORACLE_HQCA_0000417052, "Workforce Compensation Hints and Tips at ORACLE_HQCA_0000417060 contain facts that identify how to use the workforce compensation tool, the different components thereof, export capabilities, and the fields that a manager can view related to a worker's: e-mail; compensation and job history; supervision; midpoint, minimum and

maximum of current and prior salary ranges; current and proposed salary totals, wage increases, discretionary titles, annual salaries, job titles, compensation ratings; new compa ratios, salary quartiles, bonus amount, ranking; direct manager; region; country; and currency.

Oracle's videos titled "Workforce Compensation Create and Apply Models" at BSN ORACLE_HQCA_0000417056 contains facts that identify how to use the workforce compensation tool, the affect that different allocation methods and criteria have on budgets, creating and applying models to evaluate different budget allocations and criteria.

Oracle's videos titled "Workforce Compensation Approvals" at BSN ORACLE_HQCA_0000417059 contains facts that identify how to use the workforce compensation tool, review subordinate manager worksheet status, request additional information from subordinate managers or to return worksheet to them for corrections, approve manager worksheets and view approval status for worksheets.

Oracle's videos titled "Change Job/Compensation" at BSN ORACLE_HQCA_0000417310 contains facts that identify how to use access job and compensation information for a manager's employees, how to change an employee's title and update job information, how to change an employee's compensation and submit it for approval, how to update comments and add attachments, and how to review status of changes and the approvals thereof.

Oracle's videos titled "New Core Competencies" at BSN ORACLE_HQCA_0000417311 and document titled "Core Competency Framework" at BSN ORACLE_HQCA_0000380159-166 contain facts that identify Oracle's new core competency model and the seven individual core competencies, how this model differs from Oracle's previous one, why Oracle implemented this new model, the application of this new model to all Oracle employees and job codes, the five proficiency levels/levels of measurement for each core competency, how Oracle will use these new core competencies in the future and the timeline for implementation.

Oracle's videos titled "Manage Base Pay Using Cloud Self-service to manage your team" at BSN ORACLE_HQCA_0000417312 contains facts that identify how to use access job and compensation information for a manager's employees, how to change an employee's base pay and submit it for approval, the pay and job information that a manager can view for his employees, how to update comments and add attachments, and how to review status of changes and the approvals thereof.

Oracle's videos titled "Manage Other Compensation Using Cloud Self-service to manage your team" at BSN ORACLE_HQCA_0000417313 contains facts that identify how to use access job and compensation information for a manager's employees, how to change an employee's non-base pay compensation and submit it for approval, the pay and job information that a manager can view for his employees, how to update comments and add attachments, and how to review status of changes and the approvals thereof.

Oracle's videos titled "Oracle Talent Review: Skills and Qualifications" at BSN ORACLE_HQCA_0000417315 contains facts that identify how to use access job and talent review information, how to use career planning and adding career preferences.

The following iRecruitment Candidate Details documents in the following documents⁶⁰ contain facts pertaining to applicant's name, number, current employer, current organization, last degree completed; basic offer details such as business group, vacancy number, proposed start date, hiring manager, job code, job function, job specialty, global career level, justification for hire, discretionary job title, employment status, hire type, organization's name, work location; candidate's current salary and job title; proposed salary, salary range, compa-ratio, salary quartile, and annualized salary at BSN

ORACLE_HQCA_0000001058 - ORACLE_HQCA_0000001063, ORACLE_HQCA_0000001240 - ORACLE_HQCA_0000001244, ORACLE_HQCA_0000001458 - ORACLE_HQCA_0000001476, ORACLE_HQCA_0000001625 - ORACLE_HQCA_0000001643, ORACLE_HQCA_0000001694 - ORACLE_HQCA_0000001719, ORACLE_HQCA_0000001723 - ORACLE_HQCA_0000001753, ORACLE_HQCA_0000001784 - ORACLE_HQCA_0000001802, ORACLE_HQCA_0000001803 - ORACLE_HQCA_0000001811, ORACLE_HQCA_0000001831 - ORACLE_HQCA_0000001853, ORACLE_HQCA_0000002598 - ORACLE_HQCA_0000002603, ORACLE_HQCA_0000002780 - ORACLE_HQCA_0000002784, ORACLE_HQCA_0000002998 - ORACLE_HQCA_0000003016, ORACLE_HQCA_0000003033 - ORACLE_HQCA_0000003051, ORACLE_HQCA_0000003234 - ORACLE_HQCA_0000003259, ORACLE_HQCA_0000003263 - ORACLE_HQCA_0000003293, ORACLE_HQCA_0000003344 - ORACLE_HQCA_0000003362, ORACLE_HQCA_0000003363 - ORACLE_HQCA_0000003371, ORACLE_HQCA_0000003391 - ORACLE_HQCA_0000003413, ORACLE_HQCA_0000003981 - ORACLE_HQCA_0000003986, ORACLE_HQCA_0000004163 - ORACLE_HQCA_0000004167, ORACLE_HQCA_0000004381 - ORACLE_HQCA_0000004399, ORACLE_HQCA_0000004416 - ORACLE_HQCA_0000004434, ORACLE_HQCA_0000004617 - ORACLE_HQCA_0000004642, ORACLE_HQCA_0000004646 - ORACLE_HQCA_0000004676, ORACLE_HQCA_0000004727 - ORACLE_HQCA_0000004745, ORACLE_HQCA_0000004746 - ORACLE_HQCA_0000004754, ORACLE_HQCA_0000004774 - ORACLE_HQCA_0000004796, ORACLE_HQCA_0000070747, ORACLE_HQCA_0000081010, ORACLE_HQCA_0000128176, ORACLE_HQCA_0000382711 - ORACLE_HQCA_0000382754, ORACLE_HQCA_0000382879 - ORACLE_HQCA_0000382922, ORACLE_HQCA_0000382952 - ORACLE_HQCA_0000382995, ORACLE_HQCA_0000414454 - ORACLE_HQCA_0000414472, ORACLE_HQCA_0000414474 - ORACLE_HQCA_0000414496, ORACLE_HQCA_0000414619 - ORACLE_HQCA_0000414644, ORACLE_HQCA_0000414672 - ORACLE_HQCA_0000414690, ORACLE_HQCA_0000414691 - ORACLE_HQCA_0000414699, ORACLE_HQCA_0000415130 - ORACLE_HQCA_0000415148, ORACLE_HQCA_0000415467 - ORACLE_HQCA_0000415497, ORACLE_HQCA_0000415641 - ORACLE_HQCA_0000415645, ORACLE_HQCA_0000415866 - ORACLE_HQCA_0000415871, ORACLE_HQCA_0000423297 - ORACLE_HQCA_0000423305, ORACLE_HQCA_0000423317 - ORACLE_HQCA_0000423322, ORACLE_HQCA_0000437611 - ORACLE_HQCA_0000437616, ORACLE_HQCA_0000446193 - ORACLE_HQCA_0000446196, ORACLE_HQCA_0000446197 - ORACLE_HQCA_0000446204, ORACLE_HQCA_0000446222 - ORACLE_HQCA_0000446228, ORACLE_HQCA_0000446235 - ORACLE_HQCA_0000446243, ORACLE_HQCA_0000446244 - ORACLE_HQCA_0000446251, ORACLE_HQCA_0000446252 - ORACLE_HQCA_0000446258, ORACLE_HQCA_0000448178 - ORACLE_HQCA_0000448195, ORACLE_HQCA_0000448252 - ORACLE_HQCA_0000448268, ORACLE_HQCA_0000448278 - ORACLE_HQCA_0000448300,

⁶⁰ Many times Oracle, as part of its document production, combined separate documents as part of the same file such that while the iRecruitment Candidate Details documents may be only a couple of pages long, they were combined with other documents to create much larger files that Relativity identified in its document searches when seeking iRecruitment Candidate Details documents.

ORACLE_HQCA_0000448409 - ORACLE_HQCA_0000448431, ORACLE_HQCA_0000448716 -
ORACLE_HQCA_0000448731, ORACLE_HQCA_0000448770 - ORACLE_HQCA_0000448777,
ORACLE_HQCA_0000448812 - ORACLE_HQCA_0000448825, ORACLE_HQCA_0000449103 -
ORACLE_HQCA_0000449113, ORACLE_HQCA_0000449166 - ORACLE_HQCA_0000449171,
ORACLE_HQCA_0000449172 - ORACLE_HQCA_0000449194, ORACLE_HQCA_0000449204 -
ORACLE_HQCA_0000449208, ORACLE_HQCA_0000449209 - ORACLE_HQCA_0000449213,
ORACLE_HQCA_0000449375 - ORACLE_HQCA_0000449389, ORACLE_HQCA_0000449396 -
ORACLE_HQCA_0000449413, ORACLE_HQCA_0000449433 - ORACLE_HQCA_0000449440,
ORACLE_HQCA_0000449441 - ORACLE_HQCA_0000449446, ORACLE_HQCA_0000449447 -
ORACLE_HQCA_0000449455, ORACLE_HQCA_0000449456 - ORACLE_HQCA_0000449461,
ORACLE_HQCA_0000449530 - ORACLE_HQCA_0000449537, ORACLE_HQCA_0000449543 -
ORACLE_HQCA_0000449572, ORACLE_HQCA_0000449709 - ORACLE_HQCA_0000449716,
ORACLE_HQCA_0000449726 - ORACLE_HQCA_0000449734, ORACLE_HQCA_0000449735 -
ORACLE_HQCA_0000449738, ORACLE_HQCA_0000449771 - ORACLE_HQCA_0000449778,
ORACLE_HQCA_0000449817 - ORACLE_HQCA_0000449838, ORACLE_HQCA_0000449839 -
ORACLE_HQCA_0000449846, ORACLE_HQCA_0000449847 - ORACLE_HQCA_0000449869,
ORACLE_HQCA_0000460423 - ORACLE_HQCA_0000460453, ORACLE_HQCA_0000460463 -
ORACLE_HQCA_0000460484, ORACLE_HQCA_0000460575 - ORACLE_HQCA_0000460597,
ORACLE_HQCA_0000460632 - ORACLE_HQCA_0000460638, ORACLE_HQCA_0000461587 -
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The following Candidate Profile Summaries documents that are either a separate document or as part of another document contain facts pertaining to the position the candidate is applying for and the candidate's: name, education, certifications, current employer and title, reason for leaving, current and desired compensation and type of work performed at BSN ORACLE_HQCA_0000025108 -

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OFCCP identifies all the facts within the following fields from the data documents and tabs listed below if there was more than one tab located therein.⁶¹ Additionally, OFCCP is including the data files that had comments and includes other fields besides the field containing comments to give the comments context.

- BSN ORACLE_HQCA_0000062859 for the following fields: person_ID, party_ID, employee number, full_name, assignment_ID, EEO job code, AAP location, assignment attribute, location_code, Media_ID, Document_ID, proposal_answer_ID, assignment_ID_1, proposal_question_member, proposal_template_ID, person_ID_1, answer_value, long_text.
- BSN ORACLE_HQCA_0000042056 for all fields in the “TK FT Master FY15” tab save the one in column E.
- BSN ORACLE_HQCA_0000042057 for all fields in the “college hires” tab save the one in column E.
- BSN ORACLE_HQCA_0000042058 for all fields in the “regular TH HCs” tab save the one in column G.
- BSN ORACLE_HQCA_0000042059 for all fields save the one in column G.
- BSN ORACLE_HQCA_0000070725, 0000089012 for the following fields: req identifier, candidate identifier, first name, last name, GSI party ID, profile education institution name, profile education degree type, profile education program name, profile education program name (other), profile education GPA, profile education start date, profile education graduation date, profile education GPA (out of), profile education institution country, profile education institution state/province.

⁶¹ OFCCP also identifies any facts in any fields in any supplementation of the data specified herein whether before 2013 or after 2016.

- BSN ORACLE_HQCA_0000070726, 0000089013 for the following fields: req identifier, candidate identifier, first name, last name, GSI party ID, profile experience start date, profile experience end date, profile experience is current job, profile experience employer name, profile experience employer name (other), profile experience job title, profile experience job title (other), profile experience achievements (1st part), ORCL_incentive value, ORCL_work_exp_comment value.
- BSN ORACLE_HQCA_0000070730 for all tabs for all fields.
- BSN ORACLE_HQCA_0000070734 for all fields save the one in column F.
- BSN ORACLE_HQCA_0000070738 for the following tabs:
 - “Emp hire term & personal info” for the following fields: person ID, employee number, full name, last name, middle, gender, person types, birth date, ethnic_origin, ethnicity_disclosed, new_hire_status, resume exists, background_check_status, rehire_recommendation, rehire_authorization, rehire_reason, date first hired, continuous service hiredate, global user ID, vesting date adj, Party_ID, hiring_date, actual_termination_date, leaving reason, termination_comments, final_process_date, transfer to country, pay in lieu, severance amount, new employer, compensation recovery, termination payment, employee comments, rehire comments, lastdate worked stk, previous company.
 - “EMP qualifications” for the following fields: person ID, employee number, full name, establishment, attended_start_date, attended_end_date, name, title, awarded_date, party_ID.
 - “M&A information” for the following fields: person ID, employee number, full name, previous acquisition company, date_from, date_to, old employee number, previous country, transition date, bonus plan, internal ID, enabled_flag.
 - “EMP previous employment” for the following fields: person ID, employee number, full name, employer, employer country, employer type, employer subtype, start date, end date, job title, location, description of job duties.
 - “EMP assignment information” for the following fields: person ID, employee number, full name, effective_start_date, effective_end_date, last_update_date, user_status, grade, location_code, loc_town_or_city, group_name, government_reporting_entity, statutory_timecard_approver, statutory_timecard_required, statutory_work-schedule, organization_name, organization_hierarchy, work_hours, assignment_number, supervisor_name, supervisor_location_code, supervisor_town_or_city, change_reason, employment_category, FLSA_status, payroll, salary_basis, employee_job_name, job_code, job_title, job_function, specialist_area, global_career_level, job_status, local_career_level, Job_EEO_code, FLSA, Product_category, other_level, commission, comp_type_V, company_code, discretionary_job_title, product_association, rep_type, product_description, payroll_FTE, indirect supervisor, job_post_ID, budgeted_headcount,

salary_in_budget, replacement_hire, replaced_employee, justif_for_this_hire, relocation_type, relocation_maximum, stock, people_hierarchy_data, work_flow_unit.

- BSN ORACLE_HQCA_0000070740 for all three fields.
- BSN ORACLE_HQCA_0000070746 for all fields.
- BSN ORACLE_HQCA_0000070747 for the following tabs.
 - “HQCA vacancies” for all fields save those in columns G-I.
 - “Offer Candidates” for all fields save those in columns H, K, AA, AN, AY.
 - “Offer ICDs” for all fields.
 - “Offer status history” for all fields.
 - “Offer approval history” for all fields.
 - “Offer approval COMM history” for all fields.
 - “Offer workflow attachments” for all fields.
 - “Resumes” for all fields.
 - “Other Attachments” for all fields.
- BSN ORACLE_HQCA_0000070748 for the following tabs.
 - “Assignment history window” for all fields save those in columns Z-AE and AG.
- BSN ORACLE_HQCA_0000070752, 0000128180 for all fields save those in columns I-L, AD.
- BSN ORACLE_HQCA_0000070753 for all fields.
- BSN ORACLE_HQCA_0000070754 for all fields.
- BSN ORACLE_HQCA_0000070757 for all fields.
- BSN ORACLE_HQCA_0000070759 for all fields.
- BSN ORACLE_HQCA_0000091761, 0000094395, 0000097973, 0000101656, 0000104171, 0000107077, 0000110010, 0000112877, 0000115836, 0000118772, 0000121270, 0000123814, 0000126154, 0000128175 for fields: firstname, lastname, middlename, status, source code, explanation, salary, hiring mgr, SVP, ethnicity, gender, and work location.
- BSN ORACLE_HQCA_0000128176 for the following tabs:
 - “Offered_candidates” for the following fields: person_ID, party_ID, applicant_number, full_name, taleo_candidate_number, applicant_current_employer, last_degree_completed_vacancy_ID, vacancy, offer_job_title, hiring_job_title, taleo_req_number, business_group, grade, organization, work_location, offer_location_AAP, hiring_location_AAP, hiring_date, manager, manager_employee_number, offer_close_reason, employment_status, discretionary_job_title, product_association, rep_type, product_type, budgeted_headcount, salary_in_budget, justification_for_this_hire, candidate_source,

hire_type, work_schedule, web_center_group, map_offer, channel, university_degree, candidate_current_job_title, candidate_current_salary_ATV, former_acquired_company_name, shift_premium_eligible, eligible_to_work_where_job, salary_basis, proposed_salary, grade_range, comparatio, quartile, annualized_FTE_salary, annualized_salary, offer_ID.

- “HQCA_vacancies” for the following fields: job_ID, job_definition_ID, posted_job_name, posted_job_category, vacancy_ID, business_group_ID, date_from, vacancy_name, number_of_openings, type_of_openings, taleo_req_number, manager_ID, manager, primary_posting_ID, organization_name, department_description, brief_posting_description, external_posting_date, detailed_description.
 - “APL_employment_history” for the following fields: person_ID, party_ID, taleo_candidate_number, vacancy_ID, vacancy, taleo_req_number, applicant_number, full_name, employer, start_date, end_date, job_title, location, description_of_job_duties.
 - “APL_qualifications” for the following fields: person_ID, party_ID, taleo_candidate_number, vacancy_ID, vacancy, taleo_req_number, applicant_number, full_name, educational_institution, location, start_date, end_date, degree, major_subject.
 - “Offer_approval_history” for the following fields: transaction_ID, vacancy_ID, vacancy, taleo_req_number, date, line_number, approver, approver_type, category, approval_status, user-comments.
 - “Offer_approval_history_det” for the following fields: vacancy_ID, vacancy_name, taleo_req_number, sequence, name, action, date, comments.
 - “Offer_ICDA” for the following fields: person_ID, party_ID, taleo_candidate_number, vacancy_ID, vacancy_name, taleo_req_number, applicant_number, full_name, plan_name, value, justification.
 - “Offer_status_history” for the following fields: vacancy_ID, vacancy_name, taleo_req_number, offer_status_user_date_time.
 - “Resumes” for the following fields: taleo_candidate_number, taleo_req_number, vacancy_ID, applicant_number, applicant_full_name, document_ID, file_name, date_applied, applicant_party_ID, applicant_person_ID, doc_person_ID, creation_date, type.
 - “Other_attachments” for the following fields: applicant_number, applicant_full_name, taleo_candidate_number, taleo_req_number, vacancy_ID, document_ID, file_name, applicant_party_ID, applicant_person_ID, doc_person_ID, creation_date, type.
 - “Applicant_profiles” for the following fields: applicant_number, full_name, taleo_candidate_number, location, applicant_current_employer, last_degree_completed, vacancy_ID, vacancy, taleo_req_number, family_name, first_name, gender, continuous_service_hire_date, citizenship, payroll_employee_number, English_character_family_name, English_character_given_name, Global_user_ID, ethnic_origin, WP_functional_area, WP_employment_category, WP_city_location, WP_minimum_salary.
 - “Offer_workflow_attachments” for the following fields: person_ID, party_ID, taleo_candidate_number, vacancy_ID, vacancy, taleo_req_number, applicant_number, full_name, applicant_assignment_ID, document_ID, media_ID, file_name.
- BSN ORACLE_HQCA_0000416118 for all fields save the one in column BC.

The following documents contain facts pertaining to promotions of individual contributors and

managers at Oracle to include information about the minimum salary for the new position and information about the person to include his: name, current global career level and job code, years in current position, current salary, current performance rating, years in industry, manager, VP/SVP, proposed position and job code, a summary of his experience, scope of position, technical ability, teamwork and influence within Oracle, leadership and external visibility, and achievement at BSN

ORACLE_HQCA_0000001664 - ORACLE_HQCA_0000001670, ORACLE_HQCA_0000001673 - ORACLE_HQCA_0000001679, ORACLE_HQCA_0000001688 - ORACLE_HQCA_0000001693, ORACLE_HQCA_0000003204 - ORACLE_HQCA_0000003210, ORACLE_HQCA_0000003213 - ORACLE_HQCA_0000003219, ORACLE_HQCA_0000003228 - ORACLE_HQCA_0000003233, ORACLE_HQCA_0000004587 - ORACLE_HQCA_0000004593, ORACLE_HQCA_0000004596 - ORACLE_HQCA_0000004602, ORACLE_HQCA_0000004611 - ORACLE_HQCA_0000004616, ORACLE_HQCA_0000056235 - ORACLE_HQCA_0000056235, ORACLE_HQCA_0000360343 - ORACLE_HQCA_0000360349, ORACLE_HQCA_0000360464 - ORACLE_HQCA_0000360470, ORACLE_HQCA_0000360699 - ORACLE_HQCA_0000360702, ORACLE_HQCA_0000360710 - ORACLE_HQCA_0000360714, ORACLE_HQCA_0000360725 - ORACLE_HQCA_0000360729, ORACLE_HQCA_0000360730 - ORACLE_HQCA_0000360735, ORACLE_HQCA_0000360755 - ORACLE_HQCA_0000360759, ORACLE_HQCA_0000360760 - ORACLE_HQCA_0000360765, ORACLE_HQCA_0000360776 - ORACLE_HQCA_0000360778, ORACLE_HQCA_0000360862 - ORACLE_HQCA_0000360867, ORACLE_HQCA_0000360868 - ORACLE_HQCA_0000360871, ORACLE_HQCA_0000360872 - ORACLE_HQCA_0000360876, ORACLE_HQCA_0000360877 - ORACLE_HQCA_0000360879, ORACLE_HQCA_0000360882 - ORACLE_HQCA_0000360884, ORACLE_HQCA_0000360885 - ORACLE_HQCA_0000360887, ORACLE_HQCA_0000360888 - ORACLE_HQCA_0000360895, ORACLE_HQCA_0000360896 - ORACLE_HQCA_0000360903, ORACLE_HQCA_0000360988 - ORACLE_HQCA_0000360992, ORACLE_HQCA_0000361380 - ORACLE_HQCA_0000361386, ORACLE_HQCA_0000361427 - ORACLE_HQCA_0000361432, ORACLE_HQCA_0000361486 - ORACLE_HQCA_0000361490, ORACLE_HQCA_0000361528 - ORACLE_HQCA_0000361535, ORACLE_HQCA_0000361571 - ORACLE_HQCA_0000361579, ORACLE_HQCA_0000361633 - ORACLE_HQCA_0000361635, ORACLE_HQCA_0000361681 - ORACLE_HQCA_0000361686, ORACLE_HQCA_0000361719 - ORACLE_HQCA_0000361723, ORACLE_HQCA_0000361776 - ORACLE_HQCA_0000361782, ORACLE_HQCA_0000361843 - ORACLE_HQCA_0000361847, ORACLE_HQCA_0000361848 - ORACLE_HQCA_0000361853, ORACLE_HQCA_0000361865 - ORACLE_HQCA_0000361867, ORACLE_HQCA_0000361875 - ORACLE_HQCA_0000361880, ORACLE_HQCA_0000361890 - ORACLE_HQCA_0000361894, ORACLE_HQCA_0000361899 - ORACLE_HQCA_0000361901, ORACLE_HQCA_0000361902 - ORACLE_HQCA_0000361906, ORACLE_HQCA_0000361925 - ORACLE_HQCA_0000361929, ORACLE_HQCA_0000361930 - ORACLE_HQCA_0000361934, ORACLE_HQCA_0000362063 - ORACLE_HQCA_0000362066, ORACLE_HQCA_0000362073 - ORACLE_HQCA_0000362079, ORACLE_HQCA_0000362142 - ORACLE_HQCA_0000362146, ORACLE_HQCA_0000362153 - ORACLE_HQCA_0000362153, ORACLE_HQCA_0000362169 - ORACLE_HQCA_0000362169, ORACLE_HQCA_0000362170 - ORACLE_HQCA_0000362171, ORACLE_HQCA_0000362172 - ORACLE_HQCA_0000362174, ORACLE_HQCA_0000362175 - ORACLE_HQCA_0000362180, ORACLE_HQCA_0000362286 - ORACLE_HQCA_0000362290, ORACLE_HQCA_0000362291 - ORACLE_HQCA_0000362294, ORACLE_HQCA_0000362295 - ORACLE_HQCA_0000362301, ORACLE_HQCA_0000362308 - ORACLE_HQCA_0000362311, ORACLE_HQCA_0000362318 - ORACLE_HQCA_0000362323, ORACLE_HQCA_0000362324 - ORACLE_HQCA_0000362331, ORACLE_HQCA_0000362332 - ORACLE_HQCA_0000362336, ORACLE_HQCA_0000362337 - ORACLE_HQCA_0000362342, ORACLE_HQCA_0000362343 - ORACLE_HQCA_0000362349,

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Oracle's salary adjustment documents contain facts pertaining to current compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; proposed new compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; and justifications for salary adjustments at BSN ORACLE_HQCA_0000070730, ORACLE_HQCA_0000070747, ORACLE_HQCA_0000070755, ORACLE_HQCA_0000070756, ORACLE_HQCA_0000070759, ORACLE_HQCA_0000070786-ORACLE_HQCA_0000070788, ORACLE_HQCA_0000071179, ORACLE_HQCA_0000071321, ORACLE_HQCA_0000071459, ORACLE_HQCA_0000080608, ORACLE_HQCA_0000080670, ORACLE_HQCA_0000080679, ORACLE_HQCA_0000080681, ORACLE_HQCA_0000080694, ORACLE_HQCA_0000080702, ORACLE_HQCA_0000080720, ORACLE_HQCA_0000080727, ORACLE_HQCA_0000080735, ORACLE_HQCA_0000080759, ORACLE_HQCA_0000080761, ORACLE_HQCA_0000081010, ORACLE_HQCA_0000081236, ORACLE_HQCA_0000081469, ORACLE_HQCA_0000081471, ORACLE_HQCA_0000081503, ORACLE_HQCA_0000128176, ORACLE_HQCA_0000131240, ORACLE_HQCA_0000131241, ORACLE_HQCA_0000131690, ORACLE_HQCA_0000131928, ORACLE_HQCA_0000298855, ORACLE_HQCA_0000298922, ORACLE_HQCA_0000298923, ORACLE_HQCA_0000299335, ORACLE_HQCA_0000299565, ORACLE_HQCA_0000380441, ORACLE_HQCA_0000567407-ORACLE_HQCA_0000567429, ORACLE_HQCA_0000423282-ORACLE_HQCA_0000423284, ORACLE_HQCA_0000430211, ORACLE_HQCA_0000431823, ORACLE_HQCA_0000581393, ORACLE_HQCA_0000590629, ORACLE_HQCA_0000590631, ORACLE_HQCA_0000590641, ORACLE_HQCA_0000590649, ORACLE_HQCA_0000590657, ORACLE_HQCA_0000590674, ORACLE_HQCA_0000590682, ORACLE_HQCA_0000590692, ORACLE_HQCA_0000590718, ORACLE_HQCA_0000590720, ORACLE_HQCA_0000590728, ORACLE_HQCA_0000590742, ORACLE_HQCA_0000590858, ORACLE_HQCA_0000590859, ORACLE_HQCA_0000590957, ORACLE_HQCA_0000590970, ORACLE_HQCA_0000590981, ORACLE_HQCA_0000590994, ORACLE_HQCA_0000591070, ORACLE_HQCA_0000591073, ORACLE_HQCA_0000591107, ORACLE_HQCA_0000591110, ORACLE_HQCA_0000591167, ORACLE_HQCA_0000591178, ORACLE_HQCA_0000591191, ORACLE_HQCA_0000591207, ORACLE_HQCA_0000591213, ORACLE_HQCA_0000591221, ORACLE_HQCA_0000591227, ORACLE_HQCA_0000591273, ORACLE_HQCA_0000591274, ORACLE_HQCA_0000591275, ORACLE_HQCA_0000591419.

Oracle's off cycle pay increase documents contain facts pertaining to current compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; proposed new compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; and justifications for off cycle pay increases at BSN ORACLE_HQCA_0000000405-ORACLE_HQCA_0000000407, ORACLE_HQCA_0000000418-ORACLE_HQCA_0000000441, ORACLE_HQCA_0000000597-ORACLE_HQCA_0000000618, ORACLE_HQCA_0000000619-ORACLE_HQCA_0000000642, ORACLE_HQCA_0000005398-ORACLE_HQCA_0000005400, ORACLE_HQCA_0000005619-ORACLE_HQCA_0000005643, ORACLE_HQCA_0000005644-ORACLE_HQCA_0000005665, ORACLE_HQCA_0000056233-ORACLE_HQCA_0000056237, ORACLE_HQCA_0000056359-ORACLE_HQCA_0000056360, ORACLE_HQCA_0000056394-ORACLE_HQCA_0000056394, ORACLE_HQCA_0000360896-ORACLE_HQCA_0000360903, ORACLE_HQCA_0000363626-ORACLE_HQCA_0000363627, ORACLE_HQCA_0000070726-ORACLE_HQCA_0000070726, ORACLE_HQCA_0000070730-ORACLE_HQCA_0000070730, ORACLE_HQCA_0000070755-ORACLE_HQCA_0000070755, ORACLE_HQCA_0000070756-ORACLE_HQCA_0000070756, ORACLE_HQCA_0000070757-ORACLE_HQCA_0000070757, ORACLE_HQCA_0000070759-ORACLE_HQCA_0000070759, ORACLE_HQCA_0000070880-ORACLE_HQCA_0000070883,

ORACLE_HQCA_0000071331-ORACLE_HQCA_0000071332, ORACLE_HQCA_0000071590-ORACLE_HQCA_0000071591, ORACLE_HQCA_0000071699-ORACLE_HQCA_0000071705, ORACLE_HQCA_0000071821-ORACLE_HQCA_0000071825, ORACLE_HQCA_0000071865-ORACLE_HQCA_0000071866, ORACLE_HQCA_0000081112-ORACLE_HQCA_0000081113, ORACLE_HQCA_0000089013-ORACLE_HQCA_0000089013, ORACLE_HQCA_0000128176-ORACLE_HQCA_0000128176, ORACLE_HQCA_0000380146-ORACLE_HQCA_0000380146, ORACLE_HQCA_0000380150-ORACLE_HQCA_0000380150, ORACLE_HQCA_0000380437-ORACLE_HQCA_0000380437, ORACLE_HQCA_0000380591-ORACLE_HQCA_0000380591, ORACLE_HQCA_0000380603-ORACLE_HQCA_0000380626, ORACLE_HQCA_0000382580-ORACLE_HQCA_0000382580, ORACLE_HQCA_0000364183-ORACLE_HQCA_0000364183, ORACLE_HQCA_0000547868-ORACLE_HQCA_0000547869, ORACLE_HQCA_0000548003-ORACLE_HQCA_0000548040, ORACLE_HQCA_0000414181-ORACLE_HQCA_0000414340, ORACLE_HQCA_0000418519-ORACLE_HQCA_0000418524, ORACLE_HQCA_0000424975-ORACLE_HQCA_0000424978, ORACLE_HQCA_0000428453-ORACLE_HQCA_0000428457, ORACLE_HQCA_0000430393-ORACLE_HQCA_0000430394, ORACLE_HQCA_0000430619-ORACLE_HQCA_0000430621, ORACLE_HQCA_0000430895-ORACLE_HQCA_0000430901, ORACLE_HQCA_0000432004-ORACLE_HQCA_0000432010, ORACLE_HQCA_0000432486-ORACLE_HQCA_0000432503, ORACLE_HQCA_0000433067-ORACLE_HQCA_0000433072, ORACLE_HQCA_0000433625-ORACLE_HQCA_0000433626, ORACLE_HQCA_0000433731-ORACLE_HQCA_0000433747, ORACLE_HQCA_0000434973-ORACLE_HQCA_0000434979, ORACLE_HQCA_0000436797-ORACLE_HQCA_0000436801, ORACLE_HQCA_0000437336-ORACLE_HQCA_0000437337, ORACLE_HQCA_0000438495-ORACLE_HQCA_0000438498, ORACLE_HQCA_0000439356-ORACLE_HQCA_0000439360, ORACLE_HQCA_0000439361-ORACLE_HQCA_0000439364, ORACLE_HQCA_0000439414-ORACLE_HQCA_0000439416, ORACLE_HQCA_0000439612-ORACLE_HQCA_0000439615, ORACLE_HQCA_0000439616-ORACLE_HQCA_0000439617, ORACLE_HQCA_0000439907-ORACLE_HQCA_0000439910, ORACLE_HQCA_0000440757-ORACLE_HQCA_0000440760, ORACLE_HQCA_0000441269-ORACLE_HQCA_0000441271, ORACLE_HQCA_0000444202-ORACLE_HQCA_0000444205, ORACLE_HQCA_0000444209-ORACLE_HQCA_0000444213, ORACLE_HQCA_0000444214-ORACLE_HQCA_0000444216, ORACLE_HQCA_0000444217-ORACLE_HQCA_0000444219, ORACLE_HQCA_0000444221-ORACLE_HQCA_0000444223, ORACLE_HQCA_0000445614-ORACLE_HQCA_0000445618, ORACLE_HQCA_0000445619-ORACLE_HQCA_0000445622, ORACLE_HQCA_0000445931-ORACLE_HQCA_0000445934, ORACLE_HQCA_0000454594-ORACLE_HQCA_0000454608, ORACLE_HQCA_0000530463-ORACLE_HQCA_0000530529, ORACLE_HQCA_0000544846-ORACLE_HQCA_0000545105, ORACLE_HQCA_0000581393-ORACLE_HQCA_0000581393, ORACLE_HQCA_0000581394-ORACLE_HQCA_0000581394, ORACLE_HQCA_0000581434-ORACLE_HQCA_0000581434, ORACLE_HQCA_0000581436, and ORACLE_HQCA_0000041858-ORACLE_HQCA_000041859. Additionally, there were off cycle pay increase documents located in Oracle's 11th production produced on November 28, 2018, that were not bates stamped in that production. Instead Oracle provided two folders labeled gsi zip file and MSS_HCM zip file wherein it produced compensation packages. OFCCP identifies the compensation packages in those two folders here.

Oracle's out of cycle pay increase documents contain facts pertaining to current compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; proposed new compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; and justifications for off cycle pay increases at BSN ORACLE_HQCA_0000041841-

ORACLE_HQCA_0000041841, ORACLE_HQCA_0000361960-ORACLE_HQCA_0000361960, ORACLE_HQCA_0000362030-ORACLE_HQCA_0000362032, ORACLE_HQCA_0000362033-ORACLE_HQCA_0000362035, ORACLE_HQCA_0000362990-ORACLE_HQCA_0000362991, ORACLE_HQCA_0000363892-ORACLE_HQCA_0000363892, ORACLE_HQCA_0000070744-ORACLE_HQCA_0000070744, ORACLE_HQCA_0000070747-ORACLE_HQCA_0000070747, ORACLE_HQCA_0000070755-ORACLE_HQCA_0000070755, ORACLE_HQCA_0000070756-ORACLE_HQCA_0000070756, ORACLE_HQCA_0000070759-ORACLE_HQCA_0000070759, ORACLE_HQCA_0000070952-ORACLE_HQCA_0000070954, ORACLE_HQCA_0000070957-ORACLE_HQCA_0000070961, ORACLE_HQCA_0000071660-ORACLE_HQCA_0000071661, ORACLE_HQCA_0000071662-ORACLE_HQCA_0000071664, ORACLE_HQCA_0000071697-ORACLE_HQCA_0000071698, ORACLE_HQCA_0000071738-ORACLE_HQCA_0000071739, ORACLE_HQCA_0000071821-ORACLE_HQCA_0000071825, ORACLE_HQCA_0000071826-ORACLE_HQCA_0000071826, ORACLE_HQCA_0000294809-ORACLE_HQCA_0000294813, ORACLE_HQCA_0000416518-ORACLE_HQCA_0000416518, ORACLE_HQCA_0000425840-ORACLE_HQCA_0000425842, ORACLE_HQCA_0000425845-ORACLE_HQCA_0000425849, ORACLE_HQCA_0000427143-ORACLE_HQCA_0000427144, ORACLE_HQCA_0000434712-ORACLE_HQCA_0000434713, ORACLE_HQCA_0000434714-ORACLE_HQCA_0000434716, ORACLE_HQCA_0000434971-ORACLE_HQCA_0000434972, ORACLE_HQCA_0000435051-ORACLE_HQCA_0000435052, ORACLE_HQCA_0000435417-ORACLE_HQCA_0000435418, ORACLE_HQCA_0000436234-ORACLE_HQCA_0000436246, ORACLE_HQCA_0000436797-ORACLE_HQCA_0000436801, ORACLE_HQCA_0000436802-ORACLE_HQCA_0000436802.

Additionally, there were out of cycle pay increase documents located in Oracle's 11th production produced on November 28, 2018, that were not bates stamped in that production. Instead Oracle provided two folders labeled gsi zip file and MSS_HCM zip file wherein it produced compensation packages. OFCCP identifies the compensation packages in those two folders here.

The following Candidate Offer Information documents that are either a separate document or as part of another document contain facts pertaining to candidate information; assignment information such as organization, job code, systems job title, job function, job specialty and office location; terms and conditions of employment for the following fields discretionary job title, product, job billable, industry code, base salary, candidate's previous employer and compensation, employment category, FLSA classification to which some of these fields were mandatory; timing issues regarding start date and offer open date; special compensation; justification; additional information such as person type, hire type, shift premium eligible to which some of these fields were mandatory at BSN

ORACLE_HQCA_0000034789 - ORACLE_HQCA_0000034810, ORACLE_HQCA_0000035629 - ORACLE_HQCA_0000035632, ORACLE_HQCA_0000037094 - ORACLE_HQCA_0000037097, ORACLE_HQCA_0000037691 - ORACLE_HQCA_0000037693, ORACLE_HQCA_0000037697 - ORACLE_HQCA_0000037700, ORACLE_HQCA_0000037701 - ORACLE_HQCA_0000037704, ORACLE_HQCA_0000038551 - ORACLE_HQCA_0000038554, ORACLE_HQCA_0000038929 - ORACLE_HQCA_0000038932, ORACLE_HQCA_0000039021 - ORACLE_HQCA_0000039024, ORACLE_HQCA_0000039063 - ORACLE_HQCA_0000039066, ORACLE_HQCA_0000039202 - ORACLE_HQCA_0000039204, ORACLE_HQCA_0000039311 - ORACLE_HQCA_0000039314, ORACLE_HQCA_0000039476 - ORACLE_HQCA_0000039479, ORACLE_HQCA_0000039644 - ORACLE_HQCA_0000039647, ORACLE_HQCA_0000039706 - ORACLE_HQCA_0000039709, ORACLE_HQCA_0000039770 - ORACLE_HQCA_0000039773, ORACLE_HQCA_0000039880 - ORACLE_HQCA_0000039883, ORACLE_HQCA_0000039967 - ORACLE_HQCA_0000039970, ORACLE_HQCA_0000040080 - ORACLE_HQCA_0000040082, ORACLE_HQCA_0000040156 - ORACLE_HQCA_0000040159, ORACLE_HQCA_0000040259 - ORACLE_HQCA_0000040261,

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ORACLE_HQCA_0000554053 - ORACLE_HQCA_0000554073, ORACLE_HQCA_0000554332 -
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ORACLE_HQCA_0000560671 - ORACLE_HQCA_0000560690, ORACLE_HQCA_0000562660 -
ORACLE_HQCA_0000562666, ORACLE_HQCA_0000563526 - ORACLE_HQCA_0000563535,
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ORACLE_HQCA_0000448919 - ORACLE_HQCA_0000448944, ORACLE_HQCA_0000448953 -
ORACLE_HQCA_0000449016, ORACLE_HQCA_0000449017 - ORACLE_HQCA_0000449042,
ORACLE_HQCA_0000449114 - ORACLE_HQCA_0000449150, ORACLE_HQCA_0000449214 -
ORACLE_HQCA_0000449238, ORACLE_HQCA_0000449239 - ORACLE_HQCA_0000449274,
ORACLE_HQCA_0000449275 - ORACLE_HQCA_0000449316, ORACLE_HQCA_0000449319 -

ORACLE_HQCA_0000449352, ORACLE_HQCA_0000449462 - ORACLE_HQCA_0000449485,
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ORACLE_HQCA_0000539953 - ORACLE_HQCA_0000540010, ORACLE_HQCA_0000540011 -
ORACLE_HQCA_0000540030, ORACLE_HQCA_0000540031 - ORACLE_HQCA_0000540063,
ORACLE_HQCA_0000540073 - ORACLE_HQCA_0000540097, ORACLE_HQCA_0000540114 -
ORACLE_HQCA_0000540134, ORACLE_HQCA_0000540143 - ORACLE_HQCA_0000540163,
ORACLE_HQCA_0000540188 - ORACLE_HQCA_0000540212, ORACLE_HQCA_0000540213 -
ORACLE_HQCA_0000540234, ORACLE_HQCA_0000540723 - ORACLE_HQCA_0000540754,

ORACLE_HQCA_0000540798 - ORACLE_HQCA_0000540835, ORACLE_HQCA_0000540996 - ORACLE_HQCA_0000541021, ORACLE_HQCA_0000541030 - ORACLE_HQCA_0000541093, ORACLE_HQCA_0000541094 - ORACLE_HQCA_0000541119, ORACLE_HQCA_0000541191 - ORACLE_HQCA_0000541227, ORACLE_HQCA_0000541291 - ORACLE_HQCA_0000541315, ORACLE_HQCA_0000541316 - ORACLE_HQCA_0000541351, ORACLE_HQCA_0000541352 - ORACLE_HQCA_0000541393, ORACLE_HQCA_0000541396 - ORACLE_HQCA_0000541429, ORACLE_HQCA_0000541539 - ORACLE_HQCA_0000541562, ORACLE_HQCA_0000541563 - ORACLE_HQCA_0000541577, ORACLE_HQCA_0000541650 - ORACLE_HQCA_0000541674, ORACLE_HQCA_0000541675 - ORACLE_HQCA_0000541690, ORACLE_HQCA_0000541691 - ORACLE_HQCA_0000541717, ORACLE_HQCA_0000541718 - ORACLE_HQCA_0000541734, ORACLE_HQCA_0000541735 - ORACLE_HQCA_0000541756, ORACLE_HQCA_0000541757 - ORACLE_HQCA_0000541783, ORACLE_HQCA_0000541856 - ORACLE_HQCA_0000541893, ORACLE_HQCA_0000542131 - ORACLE_HQCA_0000542169, ORACLE_HQCA_0000542215 - ORACLE_HQCA_0000542253, ORACLE_HQCA_0000542496 - ORACLE_HQCA_0000542536, ORACLE_HQCA_0000542750 - ORACLE_HQCA_0000542836, ORACLE_HQCA_0000542865 - ORACLE_HQCA_0000542887, ORACLE_HQCA_0000542888 - ORACLE_HQCA_0000542897, ORACLE_HQCA_0000542901 - ORACLE_HQCA_0000542928, ORACLE_HQCA_0000542929 - ORACLE_HQCA_0000542939, ORACLE_HQCA_0000542940 - ORACLE_HQCA_0000542972, ORACLE_HQCA_0000542973 - ORACLE_HQCA_0000542982, ORACLE_HQCA_0000543010 - ORACLE_HQCA_0000543025, ORACLE_HQCA_0000544319 - ORACLE_HQCA_0000544350, ORACLE_HQCA_0000544389 - ORACLE_HQCA_0000544417, ORACLE_HQCA_0000544418 - ORACLE_HQCA_0000544426, ORACLE_HQCA_0000544496 - ORACLE_HQCA_0000544504, ORACLE_HQCA_0000544505 - ORACLE_HQCA_0000544530.

OFCCP Deposition of Kate Waggoner:

Facts regarding Oracle's Affirmative Action plan at pp. 146-51.

Facts regarding Oracle's compensation guidelines, procedures and policies at pp. 13-17, 26, 35, 50-51, 62, 68-69 and exhibit 2.

Facts regarding Oracle's process for developing compensation guidelines at pp. 45-48, 54, 62 and exhibits 1-2.

Facts regarding guidelines and approval process for compensation and promotions at pp. 29-31, 66-67, 102-15 and exhibits 4-6, 8-12.

Facts regarding global career level, job code, Global Job Table, salary ranges, and compa-ratios at pp. 33-34, 71-82, 84-91, 97-99 and exhibit 7.

Facts regarding whether product factors into pay at pp. 76, 90-92.

Facts regarding whether performance factors into pay recommendations and decisions at pp. 117-25, 138-40.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 35, 126-30 and exhibits 12-16.

Facts regarding compensation for transfers at pp. 99-102, 135-37.

Facts regarding compensation for acquisition employees at pp. 18-25, 42-43, 82-83, 107-08 and exhibits 8-9.

Facts regarding bonuses and stock at pp. 51-56, 138-40 and exhibit 2.

Facts regarding confidentiality, pay transparency and what information about compensation is made available to employees and supervisors at pp. 32, 61, 142-44 and exhibits 4-6.

Facts regarding what steps Oracle takes to address disparities in pay based on gender or race at pp. 70-71, 93-96, 99, 146-51.

Facts regarding training on compensation-related matters at pp. 25-27, 36, 43-48, 51, 58-60, 70-71,

108-11 and exhibits 1-3, 7, 10-11, 15.

Deposition of Shauna Holman-Harries:

Facts related to information and data Oracle provided to OFCCP during OFCCP's audits at pp. 35-52. Facts related to the information and data OFCCP requested and Oracle either provided or did not provide during OFCCP's audit at pp. 70-73, 149-55, 170-84, 189-92, 203-04, 212-24, 270-72, 280-94, and the following exhibits 17, 22-24, 26-28, 30-33, 35-43.

Facts related to whether Oracle's "Compliance Group" takes actions to analyze whether Oracle is in compliance with OFCCP's compensation requirements at pp. 53-70, 85-86, 98-118, 128-32, 175-77, 204-05, 209-11, 224-37, 243-47, 255-69, exhibits 18, 34, and the following additional documents: Answer to SAC, ¶¶ 44-45, 47, 49-50 and Oracle's Responses. to RFPs 71, 72, 80, 93, 95-98, 103-104, 148, 150-155, 158-159, 174.

Facts related to Oracle's affirmative action training regarding pay or compensation equity or discrimination at pp. 67-68, 122-26, 198-202, 269-70 and exhibit 29.

Facts related to Oracle's Affirmative Action Program and Affirmative Action Plans, including preparation, review, administering, goals and availability to Oracle's employees at pp. 68-70, 73-75, 87-96, 98-118, 120-21, 169-70 and exhibit 21.

Facts relating to whether Shauna Holman-Harries' Compliance Group takes any action related to whether Oracle's employees receive compensation in a non-discriminatory manner at pp. 185-86, 197.

Facts related to whether Oracle's managers analyze pay or compensation equity or discrimination when making individual compensation decisions at pp. 82-84, 87-88, 91-92, 96-98, 114-15, 117-18, 121, 126-27, 174-75, 178-79, 195-96, 240-54, 269-70.

Facts related to the conciliation process for the OFCCP's March 2016 Notice of Violation at pp. 132-48, and Exhibit 19.

Facts related to Oracle's Employee Handbook regarding promotion and compensation policies and practices at pp. 155, 160-68 and Exhibits 25-27, 29.

OFCCP Deposition of Lynne Carrelli:

Facts regarding Oracle's Affirmative Action plan and training about affirmative action requirements at pp. 261-66, 276-78, 296-300 and exhibit 55.

Facts regarding confidentiality, pay transparency and what information about compensation is made available to employees and supervisors at pp. 210-20, 270-76.

Facts regarding focal review processes at pp. 30-31, 39-46, 68-71, 113-17, 127, 194-220.

Facts regarding training on compensation-related matters at pp. 32-39, 84, 224-28.

Facts regarding bonuses and options at pp. 50-56, 231-32, 243-44 and exhibit 54.

Facts regarding guidelines and approval process for promotions and compensation at pp. 210-20, 228-31 and exhibit 52.

Facts regarding global career level, job code, salary ranges, and compa-ratios at pp. 117-27, 249-55, 300-10 and exhibit 57.

Facts regarding compensation changes occurring in the last few years at pp. 59-60, 173-94.

Facts regarding whether or not Oracle conducts internal audits of compensation and pay equity and whether Oracle has made any adjustments to pay out of equity concerns at pp. 81-83, 110-12, 129-33.

Facts regarding Oracle's compensation guidelines, procedures and policies at pp. 32-39, 91-105, 133-46, 278-95 and exhibits 44 and 56.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 105-110, 133-37, 147-62, 171-72 and exhibits 45-49, 51.

Facts regarding Oracle's use of background checks for new hires at pp. 159-68 and exhibit 49.
Facts regarding Oracle's referral program for new hires at pp. 168 and exhibit 50.
Facts regarding compensation for transfers at pp. 232-34, 243-44 and exhibit 54.
Facts regarding compensation for hires from top schools at pp. 234-40.
Facts regarding approvals for hires at pp. 241-42.

Deposition of Joyce Westerdahl:

Facts regarding hiring, starting pay, and the use of prior pay at pp. 66-69, 73-76, 91-92, 168-181, 209-10, 215-20 and exhibit 62.
Facts regarding compensation for transfers at pp. 69-71, 181-84, 213-14.
Facts regarding compensation for employees of Oracle acquisitions or mergers at pp. 71-73, 184-90.
Facts regarding assignment of new hires, transfers and acquisition employees at pp. 190-98.
Facts regarding salary increases, promotion policies and practices, focal process and budget, and approval process at pp. 76-86, 88-91, 142-46, 247-74 and exhibits 59, 60.
Facts regarding compensation process and written compensation guidelines, job codes, salary ranges, global career level, compa-ratios, and whether salary is tied to product at pp. 92-142, 201-12.
Facts regarding bonuses and options at pp. 278-82 and exhibits 64 & 65.
Facts regarding new Second-Level review process at pp. 214-15.
Facts regarding performance reviews at Oracle at pp. 151-60, 282-83 and exhibits 61, 66.
Facts regarding whether Oracle considers gender or race when making compensation decisions at pp. 160-164.
Facts regarding whether or not Oracle conducts internal audits of compensation and whether Oracle has made any adjustments to pay out of pay equity concerns at pp. 221-225, 240-42, 311-39.
Facts regarding compensation complaints and internal investigations at pp. 226-39, 339-44 and exhibit 70.
Facts about Global Corporate Bonus Fusion Workforce Compensation and compensation policies and practices at pp. 275-78, 283-86 and exhibits 63, 67.
Facts regarding re-hire guidelines at pp. 287-90 and exhibit 68.
Facts regarding terminations and confidentiality agreements at p. 292.
Facts regarding affirmative action plan and whether Oracle has taken any actions regarding pay equity at pp. 293-306, 311-39 and Exhibit 69.
Facts regarding training on compensation-related matters at pp. 201, 205, 306-09.
Facts regarding pay transparency and what information about compensation is made available to employees and supervisors at pp. 165-67, 242-47.
Facts regarding training for managers and employees at pp. 36-38, 62-64.
Facts regarding the organization of Oracle's human resources department at pp. 40-51.
Facts regarding Oracle's written guides, its "Manager's guide", My Oracle and the Employee Handbook at pp. 51-55, 58-62, 86-88.

OFCCP Deposition of Madhavi Cheruvu:

Facts regarding the organization of Oracle's human resources department at pp. 23-40, 141-43, 156-64, 170-77 and exhibits 72, 74.
Facts regarding Oracle's Affirmative Action Program and plan at pp. 240-51.
Facts regarding Oracle's compensation guidelines, procedures and policies at pp. 95, 159-60.
Facts regarding Oracle's guidelines and approval process for promotions and compensation at pp. 155-56, 198-210, 212-28, 266-68, 284-92, 303-14 and exhibits 76, 77.
Facts regarding global career level, job code, salary ranges, and compa-ratios at pp. 51-53, 56-57, 69-

82, 95-97, 138-40, 144-47 and exhibit 72.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 43-51, 53-82, 84-85, 100-05, 108-16, 132-40, 177-78, 181-85, 188-94, 251-63 and exhibit 72.

Facts regarding compensation for transfers at pp. 197-98.

Facts regarding compensation for acquisition employees at pp. 40-41, 126-30, 165-67.

Facts regarding bonuses and stock at pp. 228-31.

Facts regarding confidentiality, pay transparency and what information about compensation is made available to employees and supervisors at pp. 116-20, 210-12, 231-32.

Facts regarding training on compensation-related matters at pp. 82-91, 97-100, 120, 151-56, 186-88, 232, 246-47, 299-302 and exhibit 73.

Facts regarding compensation complaints and internal investigations at pp. 168-71, 178-81, 271-72.

Facts regarding performance reviews at Oracle at pp. 232-40.

OFCCP Deposition of Juan Loiaza

Facts regarding job postings, job descriptions, and whether individuals are hired into specific positions at pp. 29-32 and exhibits 48, 78.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 35-51, 67-96 and exhibits 78-83.

Facts regarding budgeting at pp. 51-59.

Facts regarding compensation for transfers at pp. 61-62, 102-07.

Facts regarding salary increases, promotion policies and practices, focal process and budget, and approval process at pp. 59-60, 107-35, 137-49, 214-219, 244-258, 275-321 and exhibits 87-90.

Facts regarding compensation process and written compensation guidelines and procedures, job codes, salary ranges, global career level, compa-ratios, and whether salary is tied to product at pp. 135-37, 165-76, 220-23, 259-75 and exhibits 85-86.

Facts regarding bonuses and stock at pp. 149-56.

Facts regarding performance reviews at Oracle at pp. 59-60.

Facts regarding whether Oracle ever considers gender or race when making compensation decisions at pp. 321-25.

Facts regarding affirmative action plan and whether Oracle has taken any actions regarding pay equity at pp. 223-43, 328-31.

Facts regarding training on compensation-related matters at pp. 176-214 and exhibit 84, 92.

Facts regarding pay transparency and what information about compensation is made available to employees and supervisors at pp. 157-64.

Jewett Deposition of Kate Waggoner:

Facts regarding the organization of Oracle's human resources department at pp. 25-44.

Facts regarding Oracle's compensation guidelines, procedures and policies at pp. 154-167 and exhibits 41-42, 46.

Facts regarding guidelines and approval process for promotions and compensation at pp 177-200.

Facts regarding global career level, job code, salary ranges, and compa-ratios at pp. 90-104, 170-77, 209-45 and exhibits 26, 43, 45.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 104-16 and exhibits 27-30.

Facts regarding compensation for employees Oracle obtained through acquisition at pp. 90-91, 167-68 and exhibit 25.

Facts regarding bonuses and stock at pp. 149-53 and exhibit 50.

Facts regarding training on compensation-related matters at pp. 67-89, 147-49, 201-09 and exhibits 24, 39.

Facts regarding the “Global Approval Matrix” at pp. 118-41 and exhibits 31-37.

Facts regarding focal review processes at pp. 143-47 and exhibit 38.

Jewett Deposition of Anje Dodson:

Facts regarding training for new hires at pp. 22-50 and exhibits 2-4.

Facts regarding training on management and leadership development at pp. 81-90, 94-100, 138, 186-96 and exhibits 5-8, 15.

Facts regarding performance reviews, which are not mandatory at pp. 91-94, 113-15, 129-44, 198-203, 210-17 and exhibits 9-10, 12, 16, 18-19.

Facts regarding Oracle’s definition of and application of core competencies for employees at pp. 144-51, 158-64, 179-87 and exhibits 11-12, 14-15, 17.

Facts regarding training on performance evaluations at pp. 183-96 and exhibits 13-15.

Facts regarding talent profiles and talent management grid at pp. 217-30 and exhibits 20-21.

Facts regarding confidentiality, pay transparency and what information about compensation is made available to employees and supervisors at p. 198.

Facts regarding guidelines and approval process for promotions, salary increases at pp. 53-59, 122-24, 152-56, 207-10, 230-40 and exhibit 22.

Facts regarding Oracle’s compensation guidelines and policies at p. 73.

Jewett Deposition of Kristina Edwards:

Facts regarding Oracle’s use of recruiters (aka “talent advisors”) in hiring at pp. 20-22, 30-31, 49-50 and Exhibit 66, 72.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 18-53 and exhibits 57, 66-68, 71-73.

Jewett Deposition of Chad Kidder:

Facts regarding Oracle’s use of recruiters (aka “talent advisors”) in hiring at pp. 15-18.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 20-32, 50-52, 58-60 and exhibits 27-28, 57, 66-68, 70, 72-75.

INTERROGATORY NO. 50:

If YOU contend that ANY of the discrimination alleged in the Second Amended Complaint is based upon a theory of disparate impact identify the policies, practices, procedures, and tests that YOU contend operate to have a disparate impact.

RESPONSE:

OFCCP incorporates the general objections stated above, and further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, the common interest doctrine, attorney work-product doctrine, the government's deliberative process privilege, the governmental privilege for investigative files and techniques, the government's informant privilege, the trial preparation privilege described in Rule 26(b)(3) of the Federal Rules of Civil Procedure, or exemption provided by the Rules of Practice, Federal Rules of Civil Procedure or Evidence, or the common law.

OFCCP objects to this interrogatory because by Interr. No. 34, Oracle had already asked the equivalent of 25 interrogatories in that its previous interrogatories (Interr. 26-33) contained three subparts each. As such, Oracle exceeded the number of interrogatories that it can make without a court order.

OFCCP objects to this Interrogatory as compound, vague, and ambiguous with respect to the terms "identify," "policies," "practices," "procedures," "tests," and "operate." It is not clear what information Oracle is seeking to identify and what will constitute a sufficient identification. Is it the title of the policy or other terms referenced; is it the date they became effective, etc. It is not clear what Oracle considers a governing policy, practice, procedure to be, what constitutes an official or formal policy, practice or procedure of Oracle as opposed to an individual practice of an Oracle supervisor, etc. Is it referring to a validity test or some other kind of test? Operate is also vague and ambiguous. There are multiple ways that operate can be interpreted to include the manner of

functioning or managing, etc.

Subject to and without waiving the foregoing objections and notwithstanding the foregoing, please see OFCCP's response to Interrogatory No. 25. OFCCP further responds that it conducted a compliance review of Oracle's headquarters in Redwood Shores, California consisting of a comprehensive analysis and evaluation of Oracle's hiring and employment practices. OFCCP has produced its investigative file for Oracle HQCA, OFCCP Case No. R00192699 and has described with specificity which documents from that file contain information about policies, procedures and practices in its initial and supplemental response to Oracle's First Set of Interrogatories (as amended), Interr. No. 2 and 17. The evidence used at the hearing may rely on different facts and different policies, practices, procedures and tests than which is identified in response to this interrogatory. Discovery is ongoing and OFCCP will supplement this response as appropriate.

OFCCP does contend that discriminations alleged in the SAC are also based upon a theory of disparate impact. As noted above, while discovery remains ongoing, OFCCP identifies, at this time, the following Oracle policies, practices, procedures, and tests that may have a disparate impact:

- Oracle's recruiting and hiring practices to include: absence of objective criteria; subjective decision making; centralized recruiting; centralized hiring; resume screening; interview screening; employee referral practices; use of internal recruiters; selective school recruiting; recruiting from Oracle India;
- Oracle's pay practices to include: absence of objective criteria in setting pay, pay increases, performance, and raises; looking to prior salary to set pay; subjective decision making in setting pay, pay increases, performance, and raises; changing compa-ratios of employees that affect compensation for intra-company transfers; assignment of employees to lower paying positions and/or to lower global career levels; pay secrecy culture; limited, inconsistent use of performance evaluations,

promotions and raises; centralized budgeting; pay setting practices for starting pay, increases, and interns.

SUPPLEMENTAL RESPONSE:

Subject to and without waiving the foregoing objections and notwithstanding the foregoing, OFCCP notes it is still (1) waiting for all of the updated databases from Oracle covering the whole period of this suit, (2) reviewing documents produced by Oracle, (3) taking depositions of Oracle employees and (4) developing the statistical model it will rely on at the hearing in this matter. For example, Oracle produced 5,263 database files having tens of millions upon tens of millions of data points on May 30-31, 2019, and another 815 database files on June 7, 2019, having additional millions of data base points. Moreover, Oracle's counsel, Kathryn Mantoan, identified in a June 28, 2019, e-mail that Oracle, as of that date, had not produced all of the databases requested by OFCCP. Additionally, Oracle has produced over 183,735 pages of documents in May and June 2019. Further, on July 3, 2019, Oracle produced more than 40,000 additional documents. These large productions are significant because Oracle's interrogatories are so broad so as to not only include the facts that OFCCP knew at the time it filed the Second Amended Complaint ("SAC"), but the facts contained in any of the documents and data files that Oracle produced to OFCCP at any time in this litigation and any depositions that OFCCP took in this matter to include those that Oracle produced or that OFCCP took from May to June 2019 or will be taking in July 2019. As such, OFCCP will likely be supplementing its responses to this interrogatory.

Additionally, OFCCP notes that in its diligent and reasonable efforts to comply with the court's order and review massive amounts of data and documents produced by Oracle it conducted searches using relevant terms. OFCCP made these searches into batches of documents that Oracle produced, but OFCCP has not fully reviewed. OFCCP tried to thread the needle to identify as many of the documents containing relevant facts as possible while at the same time not overly identifying documents that may have included the search terms but are not relevant. However, even with this effort, there will likely be documents that should have been included but were not and documents that should not have been included but were. However, this problem is not new to Oracle since it experienced it itself when it produced many pages of documents dated prior to January 2017 in 2019 that were responsive to OFCCP's first two RFP sets like compensation training and guidelines and it also produced many documents that were not responsive to any of OFCCP's RFPs like those pertaining to veterans and disabled persons.

Lastly, OFCCP identifies that it does not regard its models, statistical analysis, computations, etc. from the investigation and conciliation phase to those of the SAC as determinative of the statistical evidence and modeling it will use to support its SAC at the hearing in this case. The hearing model may rely on different factors, different mathematics and different data than these previous models since OFCCP has obtained, and is still obtaining, additional data and facts.

OFCCP supplements the above response by stating the following facts known to OFCCP at the time it filed this supplemental response to this interrogatory:

Oracle's pay practices to include: absence of objective criteria in setting pay, pay increases, bonuses, stock, performance, and raises; subjective decision making in setting pay, pay increases, bonuses,

stock, performance, raises; pay secrecy culture; limited, inconsistent use of performance evaluations for promotions bonuses, stock, and raises; centralized budgeting; pay setting practices for starting pay, bonuses, stock, raises, and interns.

It was a policy at Oracle prior to October 2017 to request information about an applicant's current pay and compensation and to consider this compensation as part of the recruiting process before it made a job offer.

Both the sending manager and the receiving manager of an internal transfer of an Oracle employee have to approve the transfer for the transfer to actually happen.

Oracle's managers tell their employees not to discuss compensation with other employees.

Oracle's managers do not communicate to their employees how base salary increases, bonuses or stock are decided.

Oracle hires females for jobs with lower salary ranges than they applied.

Oracle hires females for jobs with lower global career levels than they applied.

Oracle hires more females than males in quality assurance and technical writer jobs.

Oracle gives less employment opportunities to females than males because of cultural and sexual stereotypes.

Oracle's employees in the quality assurance and technical writer job specialty areas in the product development job function having global career levels of IC3-IC5 have a salary grade with a [REDACTED] salary range per global career level than Oracle's workers in the software engineering, hardware engineering, engineering services and product management job specialty areas in the product development job function who have the same global career levels. .

Oracle's managers in the quality assurance and technical writer job specialty areas in the product development job function having global career levels of M2-M4 have a salary grade with a [REDACTED] salary range per global career level than Oracle's workers in the software engineering, hardware engineering, and product management job specialty areas in the product development job function who have the same global career levels.

Oracle completes its background check before it makes an offer of employment to an applicant.

Oracle grouped all jobs that it considered equal in value into the same local salary grade level having the same salary range.

Oracle assigned jobs to the same salary grade even though they were located in various job functions, lines of businesses global career levels, and job codes.

Oracle claims that salary ranges take into account a person's tenure because "in general, employees who have been in their current role longer tend to be paid higher in the salary range."

Oracle does not make salary grade and salary range information available to their individual contributor employees.

Oracle's compensation analysis is conducted by outside counsel to include Gary Siniscalco.

Oracle's first salary range quartile was between the minimum dollar value of the salary range and between a number representing the salary midpoint dollar value and the minimum dollar value of the salary range added together divided by 2.

Oracle's second salary range quartile was between the midpoint dollar value of the salary range and between a number representing the salary midpoint dollar value and the minimum dollar value of the salary range added together divided by 2.

Oracle's third salary range quartile was between the midpoint dollar value of the salary range and between a number representing the salary midpoint dollar value and the maximum dollar value of the salary range added together divided by 2.

Oracle's fourth salary range quartile was between the maximum dollar value of the salary range and between a number representing the salary midpoint dollar value and the maximum dollar value of the salary range added together divided by 2.

Oracle considered placement in the first quartile of the salary range as the entry level salary for a job.

Oracle also considered placement in the first quartile of the salary range for employees "who are still learning their role, or whose contribution is below the required standard."

Oracle considered placement at the salary range's midpoint dollar value to be how much a "fully experienced, competent and solid performers" should earn for the job.

Oracle considered the placement midway between the midpoint dollar value of the salary range and the maximum dollar value of the salary range to be for those "employees whose contribution is exceptionally high or ready for a promotion."

Oracle defined a promotion as an employee moving from one global career level to a higher global career level with higher responsibility and more impact on Oracle's business

Oracle did not normally increase the salaries of employees when it promoted them to a higher global career level.

Gender and race fields do not appear in the compensation tools that Oracle uses for base pay salary increases, variable pay aka bonuses and stock.

Oracle's managers do not consider gender or race making ranking, ratings and pay recommendations for base pay salary increases, variable pay aka bonuses and stock.

None of Oracle's compensation tools provided to management to determine base pay salary

increases, variable pay aka bonuses and stock have any settings or fields that would allow any of Oracle's managers to take into account the gender or race of the people the manager supervises.

Larry Elision or his office approved all of the hires, compensation for hires, base salary increases, variable pay aka bonuses and stock to include restricted stock units from 2013 to 2019 for the product development line of business.

Oracle admitted that promoting employees to a higher global career level with a higher salary range without a pay increase at the time of promotion such that the employee's pay fell below the minimum dollar value of the new salary range at the time of promotion made it quite difficult for Oracle to appropriately position the promoted employee in the new salary range.

Oracle admitted that promoting employees to a higher global career level with a higher salary range without a pay increase at the time of promotion when the employee was previously positioned very low in his former salary range would cause that employee internal equity issues with that employee's peers in the new salary range.

Oracle only has only one pay policy implemented in October 2017 and that is not to ask people applying for employment at Oracle about their current or past compensation to include current salary.

None of Oracle's managers are required to comply with and follow any of Oracle's compensation guidelines, recommendations, trainings, etc. provided to them other to not ask about current or prior compensation from October 2017 to the present.

Oracle does not change the base pay of its employees in the product development, information technology or support job functions when they change jobs, teams, work groups, projects and / or products and keep the same job code.

Oracle's Affirmative Action Program does not address compensation other than to state that its Director of Diversity Compliance is responsible for Oracle developing and analyzing internal audit reports to assess performance in compensation.

Oracle's past Director of Diversity Compliance now its present Senior Director of Diversity Compliance does not develop and analyze internal audit reports to assess Oracle's affirmative action performance in compensation even though that is one of her responsibilities.

No one at Oracle monitored whether its past Director of Diversity Compliance now its present Senior Director of Diversity Compliance developed and analyzed internal audit reports to assess Oracle's affirmative action performance in compensation.

No one on Oracle's past Corporate Compensation Team or current Global Compensation Team and US Compensation teams develops and analyzes internal audit reports to assess Oracle's affirmative action performance in compensation.

Oracle's Affirmative Action training does not address compensation.

Oracle budgets a limited amount for base salary increases.

The limited amount of budget that Oracle allocates for base salary increases causes salary compression wherein Oracle does not pay its employees according to its own compensation, guidelines, training, and procedures.

The limited amount of budget that Oracle allocates for base salary increases causes salary compression wherein Oracle does not pay its employees the market rate.

Oracle pays female managers with more experience less than what it pays newly hired male individual contributor employees that these managers supervise who have less experience.

Oracle pays female, Black and Asian employees with years more experience less than what it pays newly hired male individual contributor employees with less experience.

Oracle pays female, Black and Asian employees with years more experience less than what it pays male individual contributor employees with less experience who graduated from college less than two years before hire.

Oracle hires new employees at market value but does not pay existing employees at market value.

Under Oracle's compensation guidelines, Oracle could give "off-cycle" or out-of-cycle base pay increases outside of its focal reviews because of "internal equity concerns" with an employee's peers and / or because of "comparison [of pay] with peers."

While its compensation guidelines permitted Oracle to give "off-cycle" or out-of-cycle base pay increases outside of its focal reviews because of "internal equity concerns" with an employee's peers, Oracle frequently did not award these "off-cycle" or out-of-cycle base pay increases to its Asian, female and Black employees who received less pay than their White and male counterparts.

Oracle's salary range is a range of pay Oracle considers fair and competitive in local labor market for a specific job.

However, Oracle does not pay its Asian, female and Black employees according to the salary ranges it developed.

Oracle's Asian, female and Black employees who received performance evaluation ratings of 4 or 5 were did not receive any base pay increases during the fiscal year they received these 4 or 5 performance ratings.

Oracle's Asian, female and Black employees who received performance evaluation ratings of 4 or 5 were either below the minimum dollar value of the salary range or were in the fourth quartile of the salary range.

Oracle's Asian, female and Black employees who received performance evaluation ratings of 4 or 5 were not making a salary that was at least the midpoint dollar value of their salary range.

Oracle's Asian, female and Black employees received promotions without a salary increase at the

time of promotion such that their salary fell below the minimum dollar value of the salary range of their new position when they were promoted.

Oracle's college recruiting does not seek individuals for specific positions. Instead, it obtains a pool of candidates to fill a variety of positions.

Oracle makes MAP offers when it has neither a position nor an organization to place an applicant.

Under Oracle's compensation guidelines, the reasons for pay decisions should be recorded.

Oracle's employees filled vacancies in requisitions such that their salaries were below the minimum dollar value of their new salary range in the requisition.

Oracle did not record the pay decisions it made during focal reviews for base salary, or when administering bonuses or stock in terms of rating and ranking employees and in making pay recommendations and decisions.

Oracle's managers are not required to complete performance reviews or give numeric ratings to their subordinates.

The results of Oracle's background checks may prevent an applicant from receiving an offer.

International transfers from an Oracle affiliate are not subject to background checks.

Oracle's employees can begin applying for permanent residence in the United States after being employed for three months.

Oracle hires Chinese and Indian employees because they will stay for a long time to get their green card.

India provides Oracle with highly qualified software engineers who speak English and work for less pay.

The limited dollar amounts provided in Oracle's base salary budgets for base salary increases that are allocated in Oracle result in a significant amount of its employees being underpaid relative to the local job market.

The limited dollar amounts provided in the base salary budgets for base salary increases that are allocated in Oracle result in its employees being paid below the minimum dollar value of the employees' salary range.

The limited dollar amounts provided in the base salary budgets for base salary increases that are allocated in Oracle result in its employees being paid in the first quartile of a salary range when an employee should be placed in a higher quartile because of the employee is experienced, fully competent and a solid performer.

Oracle paid employees below the minimum dollar value of their salary ranges for years.

Oracle does not provide any training to its managers who are making pay ratings, rankings, recommendations and decisions for base salary wage increases, bonuses or stock for how to be legally compliant with Executive Order 11246 and its implementing regulations.

Oracle paid the same employees below the minimum dollar value of their salary ranges for years.

All of the facts stated in the Declaration of Laura C. Bremer in Support of OFCCP's Motion to Compel Oracle's Compensation Analysis dated June 19, 2019, and the exhibits attached thereto (e.g., exhibits 1-47) filed in this matter.

All of the facts stated in the proposed SAC that OFCCP filed in this matter on January 22, 2019, and the SAC that OFCCP filed in this matter on March 8, 2019.

Oracle's "intern rule" causes it to pay [REDACTED] starting salaries to new hires who formerly worked as interns at Oracle

Oracle has a budget for "dives and saves" to prevent its employees from leaving Oracle but not a budget for internal pay equity to ensure that its employees are paid at least the minimum of their salary range.

Oracle employed more male interns than it did female interns.

Oracle's compensation packages contain facts regarding what elements of a compensation package (base pay, variable pay, stock, bonus, restricted stock units, relocation, car, travel, sign on bonuses, other bonuses) are given to different employees or types of positions at Oracle at BSN

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Oracle's documents at BSN ORACLE_HQCA_0000003234, ORACLE_HQCA_0000024495, ORACLE_HQCA_0000026763, ORACLE_HQCA_0000026853, ORACLE_HQCA_0000027604 contain facts pertaining to how Oracle handles the hiring and compensation for domestic and international transfers.

All of the facts in Oracle's "Analysis of Pay at Oracle" documents that Oracle drafted and provided to OFCCP in response to an OFCCP audit at BSN DOL 000004723, DOL000006328, DOL000037514, ORACLE_HQCA_0000004734, 0000006340, ORACLE_HQCA_0000382599, ORACLE_HQCA_0000382604-07, ORACLE_HQCA_0000382612-13, ORACLE_HQCA_0000382628, ORACLE_HQCA_0000382633, ORACLE_HQCA_0000382651, ORACLE_HQCA_0000382656-57.

All of the facts stated in "Compensation Review an Oversight" a document that Oracle drafted and provided to OFCCP in response to an OFCCP audit at BSN DOL 000004724.

All of the facts stated in the printout from Oracle's Manager Resource Guide US for "Rewarding: Base salary" at BSN DOL000004725.

Oracle's "Global Compensation Training Managing Pay Module" at BSN DOL000004730-53, ORACLE_HQCA_00000364183 contain facts that identify Oracle's compensation principals and the compensation factors that Oracle's managers should consider when recruiting someone to be an Oracle employee, changing an employee's role, promotions, transfers, salary increase reviews, "off-cycle" reviews to include business justifications, salary ranges, Oracle's definition of internal equity

and record keeping.

The documents at ORACLE_HQCA_0000008623, ORACLE_HQCA_0000009849 contain facts regarding the consequences of incorrect job codes.

The documents at ORACLE_HQCA_0000013421, ORACLE_HQCA_0000013761 contains facts regarding Oracle's approval process.

The documents at ORACLE_HQCA_0000022957, ORACLE_HQCA_0000023000 contain facts pertaining to who stock should be issued to in the United States, the percentage caps that Oracle puts on issuing stock and Oracle's fiscal year.

Oracle's critical hire documents contain facts pertaining to information about the person to include his background capabilities, experience, skills, education and accomplishments; current compensation (salary, bonus, stock, relocation, sign-on); compensation by Oracle's competitors; and compensation that Oracle was proposing at BSN ORACLE_HQCA_0000026187 - ORACLE_HQCA_0000026188, ORACLE_HQCA_0000026768 - ORACLE_HQCA_0000026768, ORACLE_HQCA_0000026769 - ORACLE_HQCA_0000026771, ORACLE_HQCA_0000026777 - ORACLE_HQCA_0000026778, ORACLE_HQCA_0000026789 - ORACLE_HQCA_0000026791, ORACLE_HQCA_0000026833 - ORACLE_HQCA_0000026836, ORACLE_HQCA_0000026839 - ORACLE_HQCA_0000026841, ORACLE_HQCA_0000026842 - ORACLE_HQCA_0000026844, ORACLE_HQCA_0000026879 - ORACLE_HQCA_0000026882, ORACLE_HQCA_0000026885 - ORACLE_HQCA_0000026889, ORACLE_HQCA_0000026890 - ORACLE_HQCA_0000026894, ORACLE_HQCA_0000026895 - ORACLE_HQCA_0000026900, ORACLE_HQCA_0000026901 - ORACLE_HQCA_0000026906, ORACLE_HQCA_0000026907 - ORACLE_HQCA_0000026912, ORACLE_HQCA_0000026913 - ORACLE_HQCA_0000026918, ORACLE_HQCA_0000026919 - ORACLE_HQCA_0000026922, ORACLE_HQCA_0000026924 - ORACLE_HQCA_0000026924, ORACLE_HQCA_0000026925 - ORACLE_HQCA_0000026926, ORACLE_HQCA_0000026927 - ORACLE_HQCA_0000026927, ORACLE_HQCA_0000026929 - ORACLE_HQCA_0000026933, ORACLE_HQCA_0000026934 - ORACLE_HQCA_0000026940, ORACLE_HQCA_0000026943 - ORACLE_HQCA_0000026945, ORACLE_HQCA_0000026946 - ORACLE_HQCA_0000026948, ORACLE_HQCA_0000026949 - ORACLE_HQCA_0000026952, ORACLE_HQCA_0000026993 - ORACLE_HQCA_0000026995, ORACLE_HQCA_0000027047 - ORACLE_HQCA_0000027050, ORACLE_HQCA_0000027083 - ORACLE_HQCA_0000027085, ORACLE_HQCA_0000027095 - ORACLE_HQCA_0000027098, ORACLE_HQCA_0000027122 - ORACLE_HQCA_0000027125, ORACLE_HQCA_0000027186 - ORACLE_HQCA_0000027189, ORACLE_HQCA_0000027196 - ORACLE_HQCA_0000027197, ORACLE_HQCA_0000028086 - ORACLE_HQCA_0000028086, ORACLE_HQCA_0000028737 - ORACLE_HQCA_0000028737, ORACLE_HQCA_0000028741 - ORACLE_HQCA_0000028741, ORACLE_HQCA_0000028833 - ORACLE_HQCA_0000028836, ORACLE_HQCA_0000028838 - ORACLE_HQCA_0000028841, ORACLE_HQCA_0000029878 - ORACLE_HQCA_0000029878, ORACLE_HQCA_0000029879 - ORACLE_HQCA_0000029879, ORACLE_HQCA_0000030474 - ORACLE_HQCA_0000030477, ORACLE_HQCA_0000030484 - ORACLE_HQCA_0000030488, ORACLE_HQCA_0000030614 - ORACLE_HQCA_0000030616, ORACLE_HQCA_0000030637 - ORACLE_HQCA_0000030640, ORACLE_HQCA_0000031047 - ORACLE_HQCA_0000031051, ORACLE_HQCA_0000032105 - ORACLE_HQCA_0000032107, ORACLE_HQCA_0000032517 - ORACLE_HQCA_0000032518, ORACLE_HQCA_0000032545 - ORACLE_HQCA_0000032546, ORACLE_HQCA_0000070730 - ORACLE_HQCA_0000070730, ORACLE_HQCA_0000070738 -

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Oracle's dive and save documents contain facts pertaining to dive and save budgets, current compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; proposed new compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; and justifications for dive and saves at BSN ORACLE_HQCA_0000026829 - ORACLE_HQCA_0000026832, ORACLE_HQCA_0000041813, ORACLE_HQCA_0000056234, ORACLE_HQCA_0000361863 - ORACLE_HQCA_0000361864, ORACLE_HQCA_0000361960, ORACLE_HQCA_0000362030 - ORACLE_HQCA_0000362032, ORACLE_HQCA_0000362033 - ORACLE_HQCA_0000362035, ORACLE_HQCA_0000362687, ORACLE_HQCA_0000362700 - ORACLE_HQCA_0000362704, ORACLE_HQCA_0000363208 - ORACLE_HQCA_0000363210, ORACLE_HQCA_0000363554 - ORACLE_HQCA_0000363555, ORACLE_HQCA_0000363626 - ORACLE_HQCA_0000363627, ORACLE_HQCA_0000070730, ORACLE_HQCA_0000070738, ORACLE_HQCA_0000070746, ORACLE_HQCA_0000070747, ORACLE_HQCA_0000070755-60, ORACLE_HQCA_0000070814 - ORACLE_HQCA_0000070815, ORACLE_HQCA_0000071031, ORACLE_HQCA_0000071035, ORACLE_HQCA_0000071331, ORACLE_HQCA_0000071450 - ORACLE_HQCA_0000071456, ORACLE_HQCA_0000071575 - ORACLE_HQCA_0000071577, ORACLE_HQCA_0000071578 - ORACLE_HQCA_0000071584, ORACLE_HQCA_0000071592 - ORACLE_HQCA_0000071593, ORACLE_HQCA_0000071662 - ORACLE_HQCA_0000071664, ORACLE_HQCA_0000071683-87, ORACLE_HQCA_0000071699 - ORACLE_HQCA_0000071705, ORACLE_HQCA_0000071725 - ORACLE_HQCA_0000071726, ORACLE_HQCA_0000071771-73 - ORACLE_HQCA_0000071775, ORACLE_HQCA_0000071832, ORACLE_HQCA_0000071849 - ORACLE_HQCA_0000071850, ORACLE_HQCA_0000071865 - ORACLE_HQCA_0000071866, ORACLE_HQCA_0000081427, ORACLE_HQCA_0000128176, ORACLE_HQCA_0000380437, ORACLE_HQCA_0000423705, ORACLE_HQCA_0000423799 - ORACLE_HQCA_0000423800, ORACLE_HQCA_0000426368 -

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A document at BSN ORACLE_HQCA_0000027021-24 contains compensation facts related to an offer of employment.

Oracle's iRecruitment requisitions and job announcement documents contain facts pertaining to posting date; requisition number/vacancy name; hiring manager; job code; job function; job specialty; global career level; professional area; amount of travel; job posting title; job title; organization's name; work location; job description; job requirements; duties and responsibilities; preferred qualifications and experience; pre-employment screening to include verifications; commitment to creating a diverse environment and being an equal opportunity employer; scope of position; technical traits; opportunities provided by the job to be visible, influence, lead and work as part of a team at BSN ORA0027412 - ORA0027413, ORA0028508 - ORA0028509, ORA0029029 - ORA0029030, ORACLE_HQCA_0000015195 - ORACLE_HQCA_0000015196, ORACLE_HQCA_0000031652, ORACLE_HQCA_0000031653 - ORACLE_HQCA_0000031654, ORACLE_HQCA_0000032060 - ORACLE_HQCA_0000032061, ORACLE_HQCA_0000032130 - ORACLE_HQCA_0000032131, ORACLE_HQCA_0000032138 - ORACLE_HQCA_0000032139, ORACLE_HQCA_0000032161, ORACLE_HQCA_0000032162 - ORACLE_HQCA_0000032163, ORACLE_HQCA_0000032166, ORACLE_HQCA_0000032167 - ORACLE_HQCA_0000032168, ORACLE_HQCA_0000032171, ORACLE_HQCA_0000032172 - ORACLE_HQCA_0000032173, ORACLE_HQCA_0000032176,

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All the facts stated in a Radford Survey at BSN DOL 000034179-81.

Oracle's written compensation policies, procedures and practices in its U.S. Employee Handbook at BSN DOL 000037217-23.

All of the facts in the articles at BSN DOL 000037746-47, 000037792, 000037795-99, 000037803-04, 000037809-10, 000037818-25, 000037827-34, 000038754-55, 000039442-43, 000039446-39790, 000039832-74 and at the following URLs:

- a. <http://www.oracle.com/us/corporate/press/executives/016380.htm>;
- b. <http://www.thehindu.com/business/Industry/new-oracle-chiefs-kerala-roots/article6775912.ece>;
- c. <https://www.oracle.com/corporate/citizenship/workforce/diversity.html>;
- d. http://guestworkerdata.org/wp-content/uploads/2014/02/H1BNationalFactsheet11_13_13FINAL.pdf;
- e. http://www.lpfi.org/wp-content/uploads/2015/04/code2040_lpfi_final.pdf;
- f. <http://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/H1B/h1b-fy-12-characteristics.pdf>;
- g. <http://www.nytimes.com/2015/11/11/us/large-companies-game-H1B-visa-program-leaving-smaller-ones-in-the-cold.html>;
- h. http://www.nytimes.com/interactive/2015/11/06/us/outsourcing-companies-dominate-h1b-visas.html?_r=0;
- i. http://www.nytimes.com/interactive/2015/11/06/us/outsourcing-companies-dominate-h1b-visas.html?_r=1;
- j. <http://www.epi.org/press/1b-visa-program-attracting-brightest-workers/>;
- k. <http://www.epi.org/files/2013/outstanding-talent-high-skilled-immigration.pdf>;
- l. <http://www.eeoc.gov/policy/docs/national-origin.html>;
- m. <http://www.eeoc.gov/eeoc/newsroom/release/8-28-14.cfm>;
- n. https://blogs.oracle.com/campusrecruitment/entry/my_journey_from_college_to;
- o. <https://www.sec.gov/Archives/edgar/data/1341439/000119312514251351/d725622d10k.htm>;
- p. <https://www.usatoday.com/story/tech/2014/10/12/silicon-valley-diversity-tech-hiring-computer-science-graduates-african-american-hispanic/14684211/>;
- q. <http://www.sfgate.com/bayarea/article/Oraclescozinesswithgovernmentgoesbackto2820370.Php>;
- r. <https://www.eeoc.gov/eeoc/statistics/reports/hightech/>;

- s. https://c.ymcdn.com/sites/ascendleadership.site-ym.com/resource/resmgr/Research/HiddenInPlainSight_Paper_042.pdf;
- t. <http://www.cxotoday.com/story/why-india-is-becoming-so-important-for-oracle/>.

All the facts stated in the portion of a Radford Survey at BSN DOL 000038079-81 for the management and professional individual contributor job level charts.

Oracle's Schedule 14A filing with the United States Securities and Exchange Commission at BSN DOL000038228-370 contains facts pertaining to stockholder proposal regarding a pay equity report, the opposition thereto and the decision by Oracle's Board of Directors regarding it.

Oracle's Board of Directors decided against having a pay equity investigation and report.

OFCCP's initial scheduling letter and communications between OFCCP and Oracle, to include their agents, during OFCCP's investigation contain facts related to information and documents that OFCCP requested and Oracle's responses thereto to include the documents that OR produced in response thereof at BSN DOL 000038536-38, ORACLE_HQCA_0000417302-06, ORACLE_HQCA_0000000001-5683.

Facts pertaining to the information and documents exchanged between Oracle employees and OFCCP's counsel pertaining to job offers, job terminations, gender, race, national origin, terms and conditions of employment, last or current salary, Oracle reviewing pay and making pay adjustments effective in 2019, Warn Act Notice, PIP and performance evaluation information and responses thereto, details of Oracle employees leaving its employ, comments on meetings, employee suggestions and capabilities of tools, work updates and results, training, modeling, teleworking, promoting teaming, job vacancies, awards, W-2/earning statements, pay stub, Aria information, complaints, Oracle's response to DOL's discrimination claims, responses to interviews, initial DOL outreach, employee's education and experience, compensation received from Oracle, contact information, dates of employment with Oracle, line of business at BSN 000040023-760.

Facts stated in the interview statement that OFCCP prepared that Lisa Gordon revised and the February 10, 2015, e-mail that Shauna Holman-Harries used to provide OFCCP with these revisions at BSN DOL 000039993-40002, DOL000039917-18.

Facts stated in the interview statement that Lisa Gordon signed after OFCCP incorporated her revisions and the e-mail that Shauna Holman-Harries used to provide OFCCP with Lisa Gordon's signed interview at BSN DOL 000040003-22, ORACLE_HQCA_0000000423-41, DOL000039915-16.

Oracle's "Management Dashboard Diversity, Inclusion and Compliance" at BSN ORACLE_HQCA_0000041958, ORACLE_HQCA_0000058221 contain facts pertaining to affirmative action shortfall areas, goals for those shortfall areas by location to include Oracle's headquarters, strategic action plan for addressing these goals to include a call to action by Oracle's LOB leaders, representation data from 1996 to 2012 by race and gender and U.S. EEO-1 information.

None of Oracle's "Management Dashboard Diversity, Inclusion and Compliance" addressed compensation.

Oracle's untitled document at BSN ORACLE_HQCA_0000042098 contains facts pertaining to Oracle's compensation philosophy; Oracle's compensation components; Oracle's compensation system fundamentals to include its Global Job Table and components thereof; salary ranges to include their use and creation; compa-ratio to include its use and creation; the mapping of jobs at Oracle; managing pay decisions; pay factors to consider when hiring, promoting and transferring employees; recording the reasons for salary decisions; and Oracle's global compensation programs.

All of the facts related to offers stated in "Hiring Your People" for slides 11-24, 27 at BSN ORACLE_HQCA_0000053246.

All of the facts related to offers stated in "Global OTA Methodology & Process Global OTA New Hire Orientation – Section 2" at BSN ORACLE_HQCA_0000056225.

All of the facts related to offers stated in "Global OTA Methodology & Process Global OTA New Hire Orientation – Section 3" for slides 7-9 at BSN ORACLE_HQCA_0000056226.

Oracle's "Managing Compensation" at BSN ORACLE_HQCA_0000056232, ORACLE_HQCA_0000056358 contain facts pertaining to Oracle's compensation components and compensation programs, the basics for all compensation programs and the differences between the programs.

Oracle's "Managing Compensation" at BSN ORACLE_HQCA_0000056234 contains facts pertaining to Oracle's compensation system fundamentals to include its Global Job Table and components thereof; salary ranges to include their use and creation; compa-ratio to include its use and creation; individual contributor and manager global career level characteristics; the relationship of job code to salary grade to salary ranges; salary range quartiles and the employee's proficiency at each; managing pay decisions; pay factors to consider when hiring, promoting and transferring employees to include justifications; whether the salary and career level of transfers should be changed and what factors would justify change; the factors Oracle considers to justify an international transfer; off-cycle pay increases; recording the reasons for salary decisions; and Oracle's global compensation programs.

Oracle's documents at "US Manager Orientation" at BSN ORACLE_HQCA_0000056362, ORACLE_HQCA_0000042091, ORACLE_HQCA_0000042191 contain facts pertaining to Oracle's talent management, roles and responsibilities of managers, core competencies, employee lifecycle, managing performance, developing employees, career development, rewarding and recognizing employees, compensation components, compensation system fundamentals to include its Global Job Table and components thereof, managing the pay of new hires and internal transfers, salary ranges to include their use.

Oracle's untitled document at BSN ORACLE_HQCA_0000056394 contains facts pertaining to Oracle's compensation programs and their components and Oracle's Global Job Table and the components thereof.

Oracle's "Opening a Vacancy" at BSN ORACLE_HQCA_0000056633 at slides 10-21 and their notes contain facts pertaining to creating a job offer, the "offer template," approval process for an

offer to include the information present for review and who reviews, the justification for an offer, background checks, and how offers are handled for internal transfers and rehires.

All of the facts stated for “Step 8: Offer Workflow” at BSN ORACLE_HQCA_0000056913-5.

All of the facts identified in Oracle’s “Global Approval Matrix” for the following categories: hiring, assignment, dollars, stock and transfers; the localized exceptions for this matrix for the United States; and the Rules for this approval matrix at BSN ORACLE_HQCA_0000062710-32, ORACLE_HQCA_0000382179, ORACLE_HQCA_0000400169-80, ORACLE_HQCA_0000400182-95, ORACLE_HQCA_0000400197-207, ORACLE_HQCA_0000400208-19, ORACLE_HQCA_0000400220-32, ORACLE_HQCA_0000400233-45.

The following documents contain facts pertaining to the meaning of the term “salary compression,” the cause of salary compression and the effects of salary compression on the pay of Oracle’s employees at BSN ORACLE_HQCA_0000070730, ORACLE_HQCA_0000070738, ORACLE_HQCA_0000070746, ORACLE_HQCA_0000070747, ORACLE_HQCA_0000070754, ORACLE_HQCA_0000070755, ORACLE_HQCA_0000070756, ORACLE_HQCA_0000071697 - ORACLE_HQCA_0000071698, ORACLE_HQCA_0000071738 - ORACLE_HQCA_0000071739, ORACLE_HQCA_0000071741, ORACLE_HQCA_0000580226 - ORACLE_HQCA_0000580238, ORACLE_HQCA_0000423226 - ORACLE_HQCA_0000423232, ORACLE_HQCA_0000434971 - ORACLE_HQCA_0000434972, ORACLE_HQCA_0000435417 - ORACLE_HQCA_0000435418, ORACLE_HQCA_0000435427, ORACLE_HQCA_0000444916 - ORACLE_HQCA_0000444919, ORACLE_HQCA_0000472615 - ORACLE_HQCA_0000472638, ORACLE_HQCA_0000581393, ORACLE_HQCA_0000581395.

OFCCP identifies the following facts from the tens of thousands of resumes that Oracle produced: full names, gender, race, work experience, names of colleges attended, degrees attained, majors attained, and fields of study. An example of almost 40,000 pages of these resumes is at BSN ORACLE_HQCA_0000089026-128174. This example does not include the following documents: BSN ORACLE_HQCA_0000091761, ORACLE_HQCA_0000094395, ORACLE_HQCA_0000097973, ORACLE_HQCA_0000101656, ORACLE_HQCA_0000104171, ORACLE_HQCA_0000107077, ORACLE_HQCA_0000110010, ORACLE_HQCA_0000112877, ORACLE_HQCA_0000115836, ORACLE_HQCA_0000118772, ORACLE_HQCA_0000121270, ORACLE_HQCA_0000123814, ORACLE_HQCA_0000126154. To segregate out and list the bates stamp numbers for over 100,000 pages of resumes is unduly burdensome and not proportional. Additionally, the documents that Oracle initially produced in response to the Court’s Motion to Compel Order dated September 11, 2017, that ordered Oracle to produce documents within 30 days of the issuance date of that Order were not bates stamped.⁶² The non-bates stamped documents that Oracle produced in and around October 11, 2017, were contained in two folders labeled “I” and “II.” Oracle identified the documents in folder I as pertaining to compensation and the documents in folder II as pertaining to hiring. Located in folders I and II were thousands upon thousands of resumes that OFCCP identifies here that are in addition to the resume information that Oracle provided in that

⁶² While Oracle claims that it subsequently produced these documents weeks later with bates stamp numbers, OFCCP, erring on the side of caution is also identifying the documents that Oracle produced in these folders too.

folder that was by fiscal year and initials of a person's last name such that there were two to three large pdf files of resume information for each fiscal year from 2013 to 2018. Erring on the side of caution, OFCCP is also identifying here the resume information that Oracle provided in the very large pdf files that were by fiscal year (2013-2018) and the files that were titled by the initials of a person's last name.

Oracle's "Global compensation training, Salary Ranges at Oracle" at BSN ORACLE_HQCA_00000364272 contains facts identifying what salary ranges are, how they are created and changed, why Oracle has them and how they should be used for compensation; facts pertaining to compa-ratios in terms of what they are, how they are created, why Oracle has them and how they should be used; facts pertaining to salary grades to include jobs having the same salary grades across various functions and global career levels and jobs being equal in value; how salary increase budgets are set and the effect of adding or removing employees to the budget worksheet; and facts pertaining to compensation trends at Oracle and key considerations for establishing pay.

Oracle's "Global Compensation Training Americas Region Module" at BSN ORACLE_HQCA_00000364273 contains facts in slides 12, 14 and 16 and their notes pertaining to choosing the correct job code, workforce approvals and notifications, geographical differentials in the United States and information workbench.

Oracle's "Global Compensation Training Americas Region Module" at BSN ORACLE_HQCA_00000364273 contains facts in slides 12, 14 and 16 and their notes pertaining to choosing the correct job code, workforce approvals and notifications, geographical differentials in the United States and information workbench.

Oracle's "Global Compensation Training Managing Compensation at Oracle – an introduction" at BSN ORACLE_HQCA_00000364275 contains facts in slides 4-10 and their notes pertaining to Oracle's compensation principles and objectives; Oracle's position regarding base salary, bonus, and stock; and information workbench.

Oracle's "Global Compensation Training Job Classification and Global Job Table Module" at BSN ORACLE_HQCA_00000364276 contains facts pertaining to the importance and structure of Oracle's Global Job Table and the components thereof, individual contributor and manager global career level characteristics, how salary grades and salary ranges are used and the impact that this job table has at Oracle.

All the facts from the printout from Oracle's MY.ORACLE website for "Job Changes and Discretionary Titles" at BSN ORACLE_HQCA_0000364278-79, ORACLE_HQCA_0000382403-04.

All the facts from the printout from Oracle's MY.ORACLE website for "Salary Ranges" at BSN ORACLE_HQCA_0000364299-300.

All the facts from the printout from Oracle's MY.ORACLE website for "Total Compensation" at BSN ORACLE_HQCA_0000364301-03.

Oracle's "Performance Appraisals FY15" at BSN ORACLE_HQCA_0000380158 contains facts

pertaining to Oracle's performance evaluations to include start and completion rates from FY2012 to FY2015, the frequency of final ratings, the importance of completed performance evaluations.

Oracle's "Manager Essentials Product Development" at BSN ORACLE_HQCA_0000380457-555 contains facts pertaining to manager's roles and responsibilities, core and functional competencies, employee lifecycle, managing talent and performance, developing employees and managers, career development, rewarding and recognizing employees, promotions, transfers, and resources available.

All of the facts stated in "Oracle Compensation Guidelines" documents that Oracle drafted and provided to OFCCP in response to an OFCCP audit at BSN ORACLE_HQCA_0000380594-97, ORACLE_HQCA_0000382600-03ORACLE_HQCA_0000382608-11, ORACLE_HQCA_0000382614-17, ORACLE_HQCA_0000382619-22, ORACLE_HQCA_0000382623-26, ORACLE_HQCA_0000382629-32, ORACLE_HQCA_0000382634-37, ORACLE_HQCA_0000382638-41, ORACLE_HQCA_0000382642-45, ORACLE_HQCA_0000382646-49, ORACLE_HQCA_0000382652-55, ORACLE_HQCA_0000400313-16, DOL 000004726-29.

All of the facts stated in the checklist titled "New Hire Workflow Job Classification and Compensation Review Checklist" at BSN ORACLE_HQCA_0000381038-39.

Oracle's "Global Equity Guidelines" at BSN ORACLE_HQCA_0000381047 contains facts pertaining to development of stock guidelines to include history, instructions for using guidelines, and the guidelines themselves that identify equity by region and global career level for different parts of the salary range.

All of the facts identified in Oracle's "HR Global Approval Matrix User Guide" at BSN ORACLE_HQCA_0000381074-76.

The following documents contain facts related to Oracle's policies, practices, guidelines and actions for seeking an applicant's current or prior salary or compensation during the application process at BSN ORACLE_HQCA_0000381077-79, ORACLE_HQCA_0000381098-99, ORACLE_HQCA_0000381100, ORACLE_HQCA_0000381101-14, ORACLE_HQCA_0000381115-17, ORACLE_HQCA_0000381118-37, ORACLE_HQCA_0000399195-207, ORACLE_HQCA_0000399286-87, ORACLE_HQCA_0000399288-90, ORACLE_HQCA_0000399291-399310, ORACLE_HQCA_0000399311-399313, ORACLE_HQCA_0000400555-57.

Oracle's "Global Compensation Guidelines Training North America: US" at BSN ORACLE_HQCA_0000382399 at slides 1-6, 10-28 and 31-36 and their notes contain facts pertaining to how to use the guidelines and the general principals, considerations and examples for internal transfer, international transfer, promotion, rehire, external hire, and "ad hoc feeder groups."

All of the facts from the printout from Oracle's MY.ORACLE website for "Oracle's Compensation Philosophy" at BSN ORACLE_HQCA_0000382402.

Oracle's "Oracle Compensation Overview" at BSN ORACLE_HQCA_0000400468-87 contains facts pertaining to Oracle's global job architecture and the components thereof; the relationship of job code

to salary grade to salary ranges; salary range quartiles and the employee's proficiency at each; Oracle's compensation components and programs; compensation transactions related to new hire, rehire, promotion, internal transfer and international transfer to include justifications; managing pay decisions; and individual contributor and manager global career level characteristics.

Pay, race and gender complaints about Oracle and, at times, its responses thereto at BSN ORACLE_HQCA_000041476-80, ORACLE_HQCA_0000416510-11, ORACLE_HQCA_0000416515-20, ORACLE_HQCA_0000416837, ORACLE_HQCA_0000417061-63, ORACLE_HQCA_00000627-56 contain information pertaining to the pay, race or gender complaint; at times, the investigations that Oracle allegedly performed; and whether merit was found for the complaints.

Oracle's "Affirmative Action at Oracle" at BSN "ORACLE_HQCA_0000417320-58 contains facts pertaining to the spirit and intent of Oracle's affirmative action; Oracle's affirmative action: policy, obligations, responsibilities, strategy, plan components, compliance; purpose of affirmative action; and OFCCP compliance reviews.

Oracle's videos titled "Workforce Compensation – Compensation Worksheet Overview" at BSN ORACLE_HQCA_0000417052, "Workforce Compensation Hints and Tips at ORACLE_HQCA_0000417060 contain facts that identify how to use the workforce compensation tool, the different components thereof, export capabilities, and the fields that a manager can view related to a worker's: e-mail; compensation and job history; supervision; midpoint, minimum and maximum of current and prior salary ranges; current and proposed salary totals, wage increases, discretionary titles, annual salaries, job titles, compensation ratings; new compa ratios, salary quartiles, bonus amount, ranking; direct manager; region; country; and currency.

Oracle's videos titled "Workforce Compensation Manage Allocations in Excel" at BSN ORACLE_HQCA_0000417058 contains facts that identify how to use the workforce compensation tool, the information that can be exported to Excel, how to export/download the information and how to upload it, differences between how to use the regular Excel worksheet and the exported one.

Oracle's videos titled "Workforce Compensation Approvals" at BSN ORACLE_HQCA_0000417059 contains facts that identify how to use the workforce compensation tool, review subordinate manager worksheet status, request additional information from subordinate managers or to return worksheet to them for corrections, approve manager worksheets and view approval status for worksheets.

Oracle's videos titled "Change Job/Compensation" at BSN ORACLE_HQCA_0000417310 contains facts that identify how to use access job and compensation information for a manager's employees, how to change an employee's title and update job information, how to change an employee's compensation and submit it for approval, how to update comments and add attachments, and how to review status of changes and the approvals thereof.

Oracle's videos titled "New Core Competencies" at BSN ORACLE_HQCA_0000417311 and document titled "Core Competency Framework" at BSN ORACLE_HQCA_0000380159-166 contain facts that identify Oracle's new core competency model and the seven individual core competencies, how this model differs from Oracle's previous one, why Oracle implemented this new model, the application of this new model to all Oracle employees and job codes, the five proficiency

levels/levels of measurement for each core competency, how Oracle will use these new core competencies in the future and the timeline for implementation.

Oracle's videos titled "Manage Base Pay Using Cloud Self-service to manage your team" at BSN ORACLE_HQCA_0000417312 contains facts that identify how to use access job and compensation information for a manager's employees, how to change an employee's base pay and submit it for approval, the pay and job information that a manager can view for his employees, how to update comments and add attachments, and how to review status of changes and the approvals thereof.

Oracle's videos titled "Manage Other Compensation Using Cloud Self-service to manage your team" at BSN ORACLE_HQCA_0000417313 contains facts that identify how to use access job and compensation information for a manager's employees, how to change an employee's non-base pay compensation and submit it for approval, the pay and job information that a manager can view for his employees, how to update comments and add attachments, and how to review status of changes and the approvals thereof.

Oracle's videos titled "Oracle Talent Review: Career Planning" at BSN ORACLE_HQCA_0000417314 contains facts that identify how to use access career planning information, how to use the career planning screens, and the types of information an employee can add as preferences, career planning and adding career preferences.

Oracle's videos titled "Oracle Talent Review: Skills and Qualifications" at BSN ORACLE_HQCA_0000417315 contains facts that identify how to use access job and talent review information, how to use career planning and adding career preferences.

The following iRecruitment Candidate Details documents in the following documents⁶³ contain facts pertaining to applicant's name, number, current employer, current organization, last degree completed; basic offer details such as business group, vacancy number, proposed start date, hiring manager, job code, job function, job specialty, global career level, justification for hire, discretionary job title, employment status, hire type, organization's name, work location; candidate's current salary and job title; proposed salary, salary range, compa-ratio, salary quartile, and annualized salary at BSN ORACLE_HQCA_0000001058 - ORACLE_HQCA_0000001063, ORACLE_HQCA_0000001240 - ORACLE_HQCA_0000001244, ORACLE_HQCA_0000001458 - ORACLE_HQCA_0000001476, ORACLE_HQCA_0000001625 - ORACLE_HQCA_0000001643, ORACLE_HQCA_0000001694 - ORACLE_HQCA_0000001719, ORACLE_HQCA_0000001723 - ORACLE_HQCA_0000001753, ORACLE_HQCA_0000001784 - ORACLE_HQCA_0000001802, ORACLE_HQCA_0000001803 - ORACLE_HQCA_0000001811, ORACLE_HQCA_0000001831 - ORACLE_HQCA_0000001853, ORACLE_HQCA_0000002598 - ORACLE_HQCA_0000002603, ORACLE_HQCA_0000002780 - ORACLE_HQCA_0000002784, ORACLE_HQCA_0000002998 - ORACLE_HQCA_0000003016, ORACLE_HQCA_0000003033 - ORACLE_HQCA_0000003051, ORACLE_HQCA_0000003234 - ORACLE_HQCA_0000003259, ORACLE_HQCA_0000003263 - ORACLE_HQCA_0000003293,

⁶³ Many times Oracle, as part of its document production, combined separate documents as part of the same file such that while the iRecruitment Candidate Details documents may be only a couple of pages long, they were combined with other documents to create much larger files that Relativity identified in its document searches when seeking iRecruitment Candidate Details documents.

ORACLE_HQCA_0000003344 - ORACLE_HQCA_0000003362, ORACLE_HQCA_0000003363 -
ORACLE_HQCA_0000003371, ORACLE_HQCA_0000003391 - ORACLE_HQCA_0000003413,
ORACLE_HQCA_0000003981 - ORACLE_HQCA_0000003986, ORACLE_HQCA_0000004163 -
ORACLE_HQCA_0000004167, ORACLE_HQCA_0000004381 - ORACLE_HQCA_0000004399,
ORACLE_HQCA_0000004416 - ORACLE_HQCA_0000004434, ORACLE_HQCA_0000004617 -
ORACLE_HQCA_0000004642, ORACLE_HQCA_0000004646 - ORACLE_HQCA_0000004676,
ORACLE_HQCA_0000004727 - ORACLE_HQCA_0000004745, ORACLE_HQCA_0000004746 -
ORACLE_HQCA_0000004754, ORACLE_HQCA_0000004774 - ORACLE_HQCA_0000004796,
ORACLE_HQCA_0000070747, ORACLE_HQCA_0000081010, ORACLE_HQCA_0000128176,
ORACLE_HQCA_0000382711 - ORACLE_HQCA_0000382754, ORACLE_HQCA_0000382879 -
ORACLE_HQCA_0000382922, ORACLE_HQCA_0000382952 - ORACLE_HQCA_0000382995,
ORACLE_HQCA_0000414454 - ORACLE_HQCA_0000414472, ORACLE_HQCA_0000414474 -
ORACLE_HQCA_0000414496, ORACLE_HQCA_0000414619 - ORACLE_HQCA_0000414644,
ORACLE_HQCA_0000414672 - ORACLE_HQCA_0000414690, ORACLE_HQCA_0000414691 -
ORACLE_HQCA_0000414699, ORACLE_HQCA_0000415130 - ORACLE_HQCA_0000415148,
ORACLE_HQCA_0000415467 - ORACLE_HQCA_0000415497, ORACLE_HQCA_0000415641 -
ORACLE_HQCA_0000415645, ORACLE_HQCA_0000415866 - ORACLE_HQCA_0000415871,
ORACLE_HQCA_0000423297 - ORACLE_HQCA_0000423305, ORACLE_HQCA_0000423317 -
ORACLE_HQCA_0000423322, ORACLE_HQCA_0000437611 - ORACLE_HQCA_0000437616,
ORACLE_HQCA_0000446193 - ORACLE_HQCA_0000446196, ORACLE_HQCA_0000446197 -
ORACLE_HQCA_0000446204, ORACLE_HQCA_0000446222 - ORACLE_HQCA_0000446228,
ORACLE_HQCA_0000446235 - ORACLE_HQCA_0000446243, ORACLE_HQCA_0000446244 -
ORACLE_HQCA_0000446251, ORACLE_HQCA_0000446252 - ORACLE_HQCA_0000446258,
ORACLE_HQCA_0000448178 - ORACLE_HQCA_0000448195, ORACLE_HQCA_0000448252 -
ORACLE_HQCA_0000448268, ORACLE_HQCA_0000448278 - ORACLE_HQCA_0000448300,
ORACLE_HQCA_0000448409 - ORACLE_HQCA_0000448431, ORACLE_HQCA_0000448716 -
ORACLE_HQCA_0000448731, ORACLE_HQCA_0000448770 - ORACLE_HQCA_0000448777,
ORACLE_HQCA_0000448812 - ORACLE_HQCA_0000448825, ORACLE_HQCA_0000449103 -
ORACLE_HQCA_0000449113, ORACLE_HQCA_0000449166 - ORACLE_HQCA_0000449171,
ORACLE_HQCA_0000449172 - ORACLE_HQCA_0000449194, ORACLE_HQCA_0000449204 -
ORACLE_HQCA_0000449208, ORACLE_HQCA_0000449209 - ORACLE_HQCA_0000449213,
ORACLE_HQCA_0000449375 - ORACLE_HQCA_0000449389, ORACLE_HQCA_0000449396 -
ORACLE_HQCA_0000449413, ORACLE_HQCA_0000449433 - ORACLE_HQCA_0000449440,
ORACLE_HQCA_0000449441 - ORACLE_HQCA_0000449446, ORACLE_HQCA_0000449447 -
ORACLE_HQCA_0000449455, ORACLE_HQCA_0000449456 - ORACLE_HQCA_0000449461,
ORACLE_HQCA_0000449530 - ORACLE_HQCA_0000449537, ORACLE_HQCA_0000449543 -
ORACLE_HQCA_0000449572, ORACLE_HQCA_0000449709 - ORACLE_HQCA_0000449716,
ORACLE_HQCA_0000449726 - ORACLE_HQCA_0000449734, ORACLE_HQCA_0000449735 -
ORACLE_HQCA_0000449738, ORACLE_HQCA_0000449771 - ORACLE_HQCA_0000449778,
ORACLE_HQCA_0000449817 - ORACLE_HQCA_0000449838, ORACLE_HQCA_0000449839 -
ORACLE_HQCA_0000449846, ORACLE_HQCA_0000449847 - ORACLE_HQCA_0000449869,
ORACLE_HQCA_0000460423 - ORACLE_HQCA_0000460453, ORACLE_HQCA_0000460463 -
ORACLE_HQCA_0000460484, ORACLE_HQCA_0000460575 - ORACLE_HQCA_0000460597,
ORACLE_HQCA_0000460632 - ORACLE_HQCA_0000460638, ORACLE_HQCA_0000461587 -
ORACLE_HQCA_0000461594, ORACLE_HQCA_0000461595 - ORACLE_HQCA_0000461599,
ORACLE_HQCA_0000461657 - ORACLE_HQCA_0000461665, ORACLE_HQCA_0000461686 -
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The following Candidate Profile Summaries documents that are either a separate document or as part of another document contain facts pertaining to the position the candidate is applying for and the candidate's: name, education, certifications, current employer and title, reason for leaving, current and desired compensation and type of work performed at BSN ORACLE_HQCA_0000025108 -

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ORACLE_HQCA_0000587478 - ORACLE_HQCA_0000587481, ORACLE_HQCA_0000588433 -
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ORACLE_HQCA_0000591051, ORACLE_HQCA_0000591055 - ORACLE_HQCA_0000591057.

OFCCP identifies all the facts within the following fields from the following data documents and tabs therein if there was more than one tab located therein:⁶⁴

- BSN ORACLE_HQCA_0000070738 for the following tabs:
 - “Emp hire term & personal info” for the following fields: person ID, employee number, full name, last name, middle, gender, person types, birth date, ethnic_origin,

⁶⁴ OFCCP also identifies any facts in any supplementation of the data specified herein.

ethnicity_disclosed, new_hire_status, resume exists, background_check_status, rehire_recommendation, rehire_authorization, rehire_reason, date first hired, continuous service hiredate, global user ID, vesting date adj, Party_ID, hiring_date, actual_termination_date, leaving reason, termination_comments, final_process_date, transfer to country, pay in lieu, severance amount, new employer, compensation recovery, termination payment, employee comments, rehire comments, lastdate worked stk, previous company.

- “EMP qualifications” for the following fields: person ID, employee number, full name, establishment, attended_start_date, attended_end_date, name, title, awarded_date, party_ID.
- “M&A information” for the following fields: person ID, employee number, full name, previous acquisition company, date_from, date_to, old employee number, previous country, transition date, bonus plan, internal ID, enabled_flag.
- “EMP previous employment” for the following fields: person ID, employee number, full name, employer, employer country, employer type, employer subtype, start date, end date, job title, location, description of job duties.
- “EMP assignment information” for the following fields: person ID, employee number, full name, effective_start_date, effective_end_date, last_update_date, user_status, grade, location_code, loc_town_or_city, group_name, government_reporting entity, statutory_timecard_approver, statutory_timecard_required, statutory_work-schedule, organization_name, organization_hierarchy, work_hours, assignment_number, supervisor_name, supervisor_location_code, supervisor_town_or_city, change_reason, employment_category, FLSA_status, payroll, salary_basis, employee_job_name, job_code, job_title, job_function, specialist_area, global_career_level, job_status, local_career_level, Job_EEO_code, FLSA, Product_category, other_level, commission, comp_type_V, company_code, discretionary_job_title, product_association, rep_type, product_description, payroll_FTE, indirect supervisor, job_post_ID, budgeted_headcount, salary_in_budget, replacement_hire, replaced_employee, justif_for_this_hire, relocation_type, relocation_maximum, stock, people_hierarchy_data, work_flow_unit.
- BSN ORACLE_HQCA_0000070747 for the following tabs
 - “HQCA vacancies” for all fields save those in columns G-I.
 - “Offer Candidates” for all fields save those in columns H, K, AA, AN, AY.
 - “Offer ICDs” for all fields.
 - “Offer status history” for all fields.
 - “Offer approval history” for all fields.
 - “Offer approval COMM history” for all fields.
 - “Offer workflow attachments” for all fields.
 - “Resumes” for all fields.
 - “Other Attachments” for all fields.
- BSN ORACLE_HQCA_0000070748 for the following tabs.
 - “Salary history window” for all fields save the one in column AA.

- “Assignment history window” for all fields save those in columns Z-AE and AG.
- BSN ORACLE_HQCA_0000091761, 0000094395, 0000097973, 0000101656, 0000104171, 0000107077, 0000110010, 0000112877, 0000115836, 0000118772, 0000121270, 0000123814, 0000126154, 0000128175 for fields: firstname, lastname middlename, status, source code, explanation, salary, hiring mgr, SVP, ethnicity, gender, and work location.
- BSN ORACLE_HQCA_0000128176 for the following tabs:
 - “Offered_candidates” for the following fields: person_ID, party_ID, applicant_number, full_name, taleo_candidate_number, applicant_current_employer, last_degree_completed_vacancy_ID, vacancy, offer_job_title, hiring_job_title, taleo_req_number, business_group, grade, organization, work_location, offer_location_AAP, hiring_location_AAP, hiring_date, manager, manager_employee_number, offer_close_reason, employment_status, discretionary_job_title, product_association, rep_type, product_type, budgeted_headcount, salary_in_budget, justification_for_this_hire, candidate_source, hire_type, work_schedule, web_center_group, map_offer, channel, university_degree, candidate_current_job_title, candidate_current_salary_ATV, former_acquired_company_name, shift_premium_eligible, eligible_to_work_where_job, salary_basis, proposed_salary, grade_range, comparatio, quartile, annualized_FTE_salary, annualized_salary, offer_ID.
 - “HQCA_vacancies” for the following fields: job_ID, job_definition_ID, posted_job_name, posted_job_category, vacancy_ID, business_group_ID, date_from, vacancy_name, number_of_openings, type_of_openings, taleo_req_number, manager_ID, manager, primary_posting_ID, organization_name, department_description, brief_posting_description, external_posting_date, detailed_description.
 - “APL_employment_history” for the following fields: person_ID, party_ID, taleo_candidate_number, vacancy_ID, vacancy, taleo_req_number, applicant_number, full_name, employer, start_date, end_date, job_title, location, description_of_job_duties.
 - “APL_qualifications” for the following fields: person_ID, party_ID, taleo_candidate_number, vacancy_ID, vacancy, taleo_req_number, applicant_number, full_name, educational_institution, location, start_date, end_date, degree, major_subject.
 - “Offer_approval_history” for the following fields: transaction_ID, vacancy_ID, vacancy, taleo_req_number, date, line_number, approver, approver_type, category, approval_status, user-comments.
 - “Offer_approval_history_det” for the following fields: vacancy_ID, vacancy_name, taleo_req_number, sequence, name, action, date, comments.
 - “Offer_ICDA” for the following fields: person_ID, party_ID, taleo_candidate_number, vacancy_ID, vacancy_name, taleo_req_number, applicant_number, full_name, plan_name, value, justification.
 - “Offer_status_history” for the following fields: vacancy_ID, vacancy_name, taleo_req_number, offer_status_user_date_time.
 - “Resumes” for the following fields: taleo_candidate_number, taleo_req_number, vacancy_ID, applicant_number, applicant_full_name, document_ID, file_name, date_applied, applicant_party_ID, applicant_person_ID, doc_person_ID, creation_date, type.

- “Other_attachments” for the following fields: applicant_number, applicant_full_name, taleo_candidate_number, taleo_req_number, vacancy_ID, document_ID, file_name, applicant_party_ID, applicant_person_ID, doc_person_ID, creation_date, type.
- “Applicant_profiles” for the following fields: applicant_number, full_name, taleo_candidate_number, location, applicant_current_employer, last_degree_completed, vacancy_ID, vacancy, taleo_req_number, family_name, first_name, gender, continuous_service_hire_date, citizenship, payroll_employee_number, English_character_family_name, English_character_given_name, Global_user_ID, ethnic_origin, WP_functional_area, WP_employment_category, WP_city_location, WP_minimum_salary.
- “Offer_workflow_attachments” for the following fields: person_ID, party_ID, taleo_candidate_number, vacancy_ID, vacancy, taleo_req_number, applicant_number, full_name, applicant_assignment_ID, document_ID, media_ID, file_name.

The following documents contain facts pertaining to promotions of individual contributors and managers at Oracle to include information about the minimum salary for the new position and information about the person to include his: name, current global career level and job code, years in current position, current salary, current performance rating, years in industry, manager, VP/SVP, proposed position and job code, a summary of his experience, scope of position, technical ability, teamwork and influence within Oracle, leadership and external visibility, and achievement at BSN

ORACLE_HQCA_0000001664 - ORACLE_HQCA_0000001670, ORACLE_HQCA_0000001673 - ORACLE_HQCA_0000001679, ORACLE_HQCA_0000001688 - ORACLE_HQCA_0000001693, ORACLE_HQCA_0000003204 - ORACLE_HQCA_0000003210, ORACLE_HQCA_0000003213 - ORACLE_HQCA_0000003219, ORACLE_HQCA_0000003228 - ORACLE_HQCA_0000003233, ORACLE_HQCA_0000004587 - ORACLE_HQCA_0000004593, ORACLE_HQCA_0000004596 - ORACLE_HQCA_0000004602, ORACLE_HQCA_0000004611 - ORACLE_HQCA_0000004616, ORACLE_HQCA_0000056235 - ORACLE_HQCA_0000056235, ORACLE_HQCA_0000360343 - ORACLE_HQCA_0000360349, ORACLE_HQCA_0000360464 - ORACLE_HQCA_0000360470, ORACLE_HQCA_0000360699 - ORACLE_HQCA_0000360702, ORACLE_HQCA_0000360710 - ORACLE_HQCA_0000360714, ORACLE_HQCA_0000360725 - ORACLE_HQCA_0000360729, ORACLE_HQCA_0000360730 - ORACLE_HQCA_0000360735, ORACLE_HQCA_0000360755 - ORACLE_HQCA_0000360759, ORACLE_HQCA_0000360760 - ORACLE_HQCA_0000360765, ORACLE_HQCA_0000360776 - ORACLE_HQCA_0000360778, ORACLE_HQCA_0000360862 - ORACLE_HQCA_0000360867, ORACLE_HQCA_0000360868 - ORACLE_HQCA_0000360871, ORACLE_HQCA_0000360872 - ORACLE_HQCA_0000360876, ORACLE_HQCA_0000360877 - ORACLE_HQCA_0000360879, ORACLE_HQCA_0000360882 - ORACLE_HQCA_0000360884, ORACLE_HQCA_0000360885 - ORACLE_HQCA_0000360887, ORACLE_HQCA_0000360888 - ORACLE_HQCA_0000360895, ORACLE_HQCA_0000360896 - ORACLE_HQCA_0000360903, ORACLE_HQCA_0000360988 - ORACLE_HQCA_0000360992, ORACLE_HQCA_0000361380 - ORACLE_HQCA_0000361386, ORACLE_HQCA_0000361427 - ORACLE_HQCA_0000361432, ORACLE_HQCA_0000361486 - ORACLE_HQCA_0000361490, ORACLE_HQCA_0000361528 - ORACLE_HQCA_0000361535, ORACLE_HQCA_0000361571 - ORACLE_HQCA_0000361579, ORACLE_HQCA_0000361633 - ORACLE_HQCA_0000361635, ORACLE_HQCA_0000361681 - ORACLE_HQCA_0000361686, ORACLE_HQCA_0000361719 - ORACLE_HQCA_0000361723, ORACLE_HQCA_0000361776 - ORACLE_HQCA_0000361782, ORACLE_HQCA_0000361843 - ORACLE_HQCA_0000361847, ORACLE_HQCA_0000361848 - ORACLE_HQCA_0000361853, ORACLE_HQCA_0000361865 - ORACLE_HQCA_0000361867, ORACLE_HQCA_0000361875 -

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Oracle's salary adjustment documents contain facts pertaining to current compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; proposed new compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; and justifications for salary adjustments at BSN ORACLE_HQCA_0000070730, ORACLE_HQCA_0000070747, ORACLE_HQCA_0000070755, ORACLE_HQCA_0000070756, ORACLE_HQCA_0000070759, ORACLE_HQCA_0000070786-ORACLE_HQCA_0000070788, ORACLE_HQCA_0000071179, ORACLE_HQCA_0000071321, ORACLE_HQCA_0000071459, ORACLE_HQCA_0000080608, ORACLE_HQCA_0000080670, ORACLE_HQCA_0000080679, ORACLE_HQCA_0000080681, ORACLE_HQCA_0000080694, ORACLE_HQCA_0000080702, ORACLE_HQCA_0000080720, ORACLE_HQCA_0000080727, ORACLE_HQCA_0000080735, ORACLE_HQCA_0000080759, ORACLE_HQCA_0000080761, ORACLE_HQCA_0000081010, ORACLE_HQCA_0000081236, ORACLE_HQCA_0000081469, ORACLE_HQCA_0000081471, ORACLE_HQCA_0000081503, ORACLE_HQCA_0000128176, ORACLE_HQCA_0000131240, ORACLE_HQCA_0000131241, ORACLE_HQCA_0000131690, ORACLE_HQCA_0000131928, ORACLE_HQCA_0000298855, ORACLE_HQCA_0000298922, ORACLE_HQCA_0000298923, ORACLE_HQCA_0000299335, ORACLE_HQCA_0000299565, ORACLE_HQCA_0000380441, ORACLE_HQCA_0000567407-ORACLE_HQCA_0000567429, ORACLE_HQCA_0000423282-ORACLE_HQCA_0000423284, ORACLE_HQCA_0000430211, ORACLE_HQCA_0000431823, ORACLE_HQCA_0000581393, ORACLE_HQCA_0000590629, ORACLE_HQCA_0000590631, ORACLE_HQCA_0000590641, ORACLE_HQCA_0000590649, ORACLE_HQCA_0000590657, ORACLE_HQCA_0000590674, ORACLE_HQCA_0000590682, ORACLE_HQCA_0000590692, ORACLE_HQCA_0000590718, ORACLE_HQCA_0000590720, ORACLE_HQCA_0000590728, ORACLE_HQCA_0000590742, ORACLE_HQCA_0000590858, ORACLE_HQCA_0000590859, ORACLE_HQCA_0000590957, ORACLE_HQCA_0000590970, ORACLE_HQCA_0000590981, ORACLE_HQCA_0000590994, ORACLE_HQCA_0000591070, ORACLE_HQCA_0000591073, ORACLE_HQCA_0000591107, ORACLE_HQCA_0000591110, ORACLE_HQCA_0000591167, ORACLE_HQCA_0000591178, ORACLE_HQCA_0000591191, ORACLE_HQCA_0000591207, ORACLE_HQCA_0000591213, ORACLE_HQCA_0000591221, ORACLE_HQCA_0000591227, ORACLE_HQCA_0000591273, ORACLE_HQCA_0000591274, ORACLE_HQCA_0000591275, ORACLE_HQCA_0000591419.

Oracle's off cycle pay increase documents contain facts pertaining to current compensation to include

information pertaining to compa-ratio, salary ranges and salary quartiles; proposed new compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; and justifications for off cycle pay increases at BSN ORACLE_HQCA_0000000405-ORACLE_HQCA_0000000407, ORACLE_HQCA_0000000418-ORACLE_HQCA_0000000441, ORACLE_HQCA_0000000597-ORACLE_HQCA_0000000618, ORACLE_HQCA_0000000619-ORACLE_HQCA_0000000642, ORACLE_HQCA_0000005398-ORACLE_HQCA_0000005400, ORACLE_HQCA_0000005619-ORACLE_HQCA_0000005643, ORACLE_HQCA_0000005644-ORACLE_HQCA_0000005665, ORACLE_HQCA_0000056233-ORACLE_HQCA_0000056237, ORACLE_HQCA_0000056359-ORACLE_HQCA_0000056360, ORACLE_HQCA_0000056394-ORACLE_HQCA_0000056394, ORACLE_HQCA_0000360896-ORACLE_HQCA_0000360903, ORACLE_HQCA_0000363626-ORACLE_HQCA_0000363627, ORACLE_HQCA_0000070726-ORACLE_HQCA_0000070726, ORACLE_HQCA_0000070730-ORACLE_HQCA_0000070730, ORACLE_HQCA_0000070755-ORACLE_HQCA_0000070755, ORACLE_HQCA_0000070756-ORACLE_HQCA_0000070756, ORACLE_HQCA_0000070757-ORACLE_HQCA_0000070757, ORACLE_HQCA_0000070759-ORACLE_HQCA_0000070759, ORACLE_HQCA_0000070880-ORACLE_HQCA_0000070883, ORACLE_HQCA_0000071331-ORACLE_HQCA_0000071332, ORACLE_HQCA_0000071590-ORACLE_HQCA_0000071591, ORACLE_HQCA_0000071699-ORACLE_HQCA_0000071705, ORACLE_HQCA_0000071821-ORACLE_HQCA_0000071825, ORACLE_HQCA_0000071865-ORACLE_HQCA_0000071866, ORACLE_HQCA_0000081112-ORACLE_HQCA_0000081113, ORACLE_HQCA_0000089013-ORACLE_HQCA_0000089013, ORACLE_HQCA_0000128176-ORACLE_HQCA_0000128176, ORACLE_HQCA_0000380146-ORACLE_HQCA_0000380146, ORACLE_HQCA_0000380150-ORACLE_HQCA_0000380150, ORACLE_HQCA_0000380437-ORACLE_HQCA_0000380437, ORACLE_HQCA_0000380591-ORACLE_HQCA_0000380591, ORACLE_HQCA_0000380603-ORACLE_HQCA_0000380626, ORACLE_HQCA_0000382580-ORACLE_HQCA_0000382580, ORACLE_HQCA_0000364183-ORACLE_HQCA_0000364183, ORACLE_HQCA_0000547868-ORACLE_HQCA_0000547869, ORACLE_HQCA_0000548003-ORACLE_HQCA_0000548040, ORACLE_HQCA_0000414181-ORACLE_HQCA_0000414340, ORACLE_HQCA_0000418519-ORACLE_HQCA_0000418524, ORACLE_HQCA_0000424975-ORACLE_HQCA_0000424978, ORACLE_HQCA_0000428453-ORACLE_HQCA_0000428457, ORACLE_HQCA_0000430393-ORACLE_HQCA_0000430394, ORACLE_HQCA_0000430619-ORACLE_HQCA_0000430621, ORACLE_HQCA_0000430895-ORACLE_HQCA_0000430901, ORACLE_HQCA_0000432004-ORACLE_HQCA_0000432010, ORACLE_HQCA_0000432486-ORACLE_HQCA_0000432503, ORACLE_HQCA_0000433067-ORACLE_HQCA_0000433072, ORACLE_HQCA_0000433625-ORACLE_HQCA_0000433626, ORACLE_HQCA_0000433731-ORACLE_HQCA_0000433747, ORACLE_HQCA_0000434973-ORACLE_HQCA_0000434979, ORACLE_HQCA_0000436797-ORACLE_HQCA_0000436801, ORACLE_HQCA_0000437336-ORACLE_HQCA_0000437337, ORACLE_HQCA_0000438495-ORACLE_HQCA_0000438498, ORACLE_HQCA_0000439356-ORACLE_HQCA_0000439360, ORACLE_HQCA_0000439361-ORACLE_HQCA_0000439364, ORACLE_HQCA_0000439414-ORACLE_HQCA_0000439416, ORACLE_HQCA_0000439612-ORACLE_HQCA_0000439615, ORACLE_HQCA_0000439616-ORACLE_HQCA_0000439617, ORACLE_HQCA_0000439907-ORACLE_HQCA_0000439910, ORACLE_HQCA_0000440757-ORACLE_HQCA_0000440760, ORACLE_HQCA_0000441269-ORACLE_HQCA_0000441271, ORACLE_HQCA_0000444202-ORACLE_HQCA_0000444205, ORACLE_HQCA_0000444209-ORACLE_HQCA_0000444213, ORACLE_HQCA_0000444214-ORACLE_HQCA_0000444216, ORACLE_HQCA_0000444217-ORACLE_HQCA_0000444219, ORACLE_HQCA_0000444221-ORACLE_HQCA_0000444223, ORACLE_HQCA_0000445614-ORACLE_HQCA_0000445618, ORACLE_HQCA_0000445619-ORACLE_HQCA_0000445622,

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Oracle's out of cycle pay increase documents contain facts pertaining to current compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; proposed new compensation to include information pertaining to compa-ratio, salary ranges and salary quartiles; and justifications for off cycle pay increases at BSN ORACLE_HQCA_0000041841-

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The following Candidate Offer Information documents that are either a separate document or as part of another document contain facts pertaining to candidate information; assignment information such as organization, job code, systems job title, job function, job specialty and office location; terms and conditions of employment for the following fields discretionary job title, product, job billable, industry code, base salary, candidate's previous employer and compensation, employment category, FLSA classification to which some of these fields were mandatory; timing issues regarding start date and offer open date; special compensation; justification; additional information such as person type, hire

type, shift premium eligible to which some of these fields were mandatory at BSN

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ORACLE_HQCA_0000538421, ORACLE_HQCA_0000538452 - ORACLE_HQCA_0000538483,
ORACLE_HQCA_0000538484 - ORACLE_HQCA_0000538497, ORACLE_HQCA_0000538498 -

ORACLE_HQCA_0000538507, ORACLE_HQCA_0000538533 - ORACLE_HQCA_0000538560, ORACLE_HQCA_0000538571 - ORACLE_HQCA_0000538597, ORACLE_HQCA_0000538598 - ORACLE_HQCA_0000538636, ORACLE_HQCA_0000538637 - ORACLE_HQCA_0000538665, ORACLE_HQCA_0000538666 - ORACLE_HQCA_0000538677, ORACLE_HQCA_0000538703 - ORACLE_HQCA_0000538712, ORACLE_HQCA_0000539495 - ORACLE_HQCA_0000539521, ORACLE_HQCA_0000539522 - ORACLE_HQCA_0000539542, ORACLE_HQCA_0000539543 - ORACLE_HQCA_0000539564, ORACLE_HQCA_0000539614 - ORACLE_HQCA_0000539631, ORACLE_HQCA_0000539632 - ORACLE_HQCA_0000539645, ORACLE_HQCA_0000539730 - ORACLE_HQCA_0000539749, ORACLE_HQCA_0000539821 - ORACLE_HQCA_0000539838, ORACLE_HQCA_0000539953 - ORACLE_HQCA_0000540010, ORACLE_HQCA_0000540011 - ORACLE_HQCA_0000540030, ORACLE_HQCA_0000540031 - ORACLE_HQCA_0000540063, ORACLE_HQCA_0000540073 - ORACLE_HQCA_0000540097, ORACLE_HQCA_0000540114 - ORACLE_HQCA_0000540134, ORACLE_HQCA_0000540143 - ORACLE_HQCA_0000540163, ORACLE_HQCA_0000540188 - ORACLE_HQCA_0000540212, ORACLE_HQCA_0000540213 - ORACLE_HQCA_0000540234, ORACLE_HQCA_0000540723 - ORACLE_HQCA_0000540754, ORACLE_HQCA_0000540798 - ORACLE_HQCA_0000540835, ORACLE_HQCA_0000540996 - ORACLE_HQCA_0000541021, ORACLE_HQCA_0000541030 - ORACLE_HQCA_0000541093, ORACLE_HQCA_0000541094 - ORACLE_HQCA_0000541119, ORACLE_HQCA_0000541191 - ORACLE_HQCA_0000541227, ORACLE_HQCA_0000541291 - ORACLE_HQCA_0000541315, ORACLE_HQCA_0000541316 - ORACLE_HQCA_0000541351, ORACLE_HQCA_0000541352 - ORACLE_HQCA_0000541393, ORACLE_HQCA_0000541396 - ORACLE_HQCA_0000541429, ORACLE_HQCA_0000541539 - ORACLE_HQCA_0000541562, ORACLE_HQCA_0000541563 - ORACLE_HQCA_0000541577, ORACLE_HQCA_0000541650 - ORACLE_HQCA_0000541674, ORACLE_HQCA_0000541675 - ORACLE_HQCA_0000541690, ORACLE_HQCA_0000541691 - ORACLE_HQCA_0000541717, ORACLE_HQCA_0000541718 - ORACLE_HQCA_0000541734, ORACLE_HQCA_0000541735 - ORACLE_HQCA_0000541756, ORACLE_HQCA_0000541757 - ORACLE_HQCA_0000541783, ORACLE_HQCA_0000541856 - ORACLE_HQCA_0000541893, ORACLE_HQCA_0000542131 - ORACLE_HQCA_0000542169, ORACLE_HQCA_0000542215 - ORACLE_HQCA_0000542253, ORACLE_HQCA_0000542496 - ORACLE_HQCA_0000542536, ORACLE_HQCA_0000542750 - ORACLE_HQCA_0000542836, ORACLE_HQCA_0000542865 - ORACLE_HQCA_0000542887, ORACLE_HQCA_0000542888 - ORACLE_HQCA_0000542897, ORACLE_HQCA_0000542901 - ORACLE_HQCA_0000542928, ORACLE_HQCA_0000542929 - ORACLE_HQCA_0000542939, ORACLE_HQCA_0000542940 - ORACLE_HQCA_0000542972, ORACLE_HQCA_0000542973 - ORACLE_HQCA_0000542982, ORACLE_HQCA_0000543010 - ORACLE_HQCA_0000543025, ORACLE_HQCA_0000544319 - ORACLE_HQCA_0000544350, ORACLE_HQCA_0000544389 - ORACLE_HQCA_0000544417, ORACLE_HQCA_0000544418 - ORACLE_HQCA_0000544426, ORACLE_HQCA_0000544496 - ORACLE_HQCA_0000544504, ORACLE_HQCA_0000544505 - ORACLE_HQCA_0000544530.

OFCCP Deposition of Kate Waggoner:

Facts regarding Oracle's Affirmative Action plan at pp. 146-51.

Facts regarding Oracle's compensation guidelines, procedures and policies at pp. 13-17, 26, 35, 50-51, 62, 68-69 and exhibit 2.

Facts regarding Oracle's process for developing compensation guidelines at pp. 45-48, 54, 62 and exhibits 1-2.

Facts regarding guidelines and approval process for compensation and promotions at pp. 29-31, 66-67, 102-15 and exhibits 4-6, 8-12.

Facts regarding global career level, job code, Global Job Table, salary ranges, and compa-ratios at pp. 33-34, 71-82, 84-91, 97-99 and exhibit 7.

Facts regarding whether product factors into pay at pp. 76, 90-92.

Facts regarding whether performance factors into pay recommendations and decisions at pp. 117-25, 138-40.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 35, 126-30 and exhibits 12-16.

Facts regarding compensation for transfers at pp. 99-102, 135-37.

Facts regarding compensation for acquisition employees at pp. 18-25, 42-43, 82-83, 107-08 and exhibits 8-9.

Facts regarding bonuses and stock at pp. 51-56, 138-40 and exhibit 2.

Facts regarding confidentiality, pay transparency and what information about compensation is made available to employees and supervisors at pp. 32, 61, 142-44 and exhibits 4-6.

Facts regarding what steps Oracle takes to address disparities in pay based on gender or race at pp. 70-71, 93-96, 99, 146-51.

Facts regarding training on compensation-related matters at pp. 25-27, 36, 43-48, 51, 58-60, 70-71, 108-11 and exhibits 1-3, 7, 10-11, 15.

Deposition of Shauna Holman-Harries:

Facts related to information and data Oracle provided to OFCCP during OFCCP's audits at pp. 35-52.

Facts related to the information and data OFCCP requested and Oracle either provided or did not provide during OFCCP's audit at pp. 70-73, 149-55, 170-84, 189-92, 203-04, 212-24, 270-72, 280-94, and the following exhibits 17, 22-24, 26-28, 30-33, 35-43.

Facts related to whether Oracle's "Compliance Group" takes actions to analyze whether Oracle is in compliance with OFCCP's compensation requirements at pp. 53-70, 85-86, 98-118, 128-32, 175-77, 204-05, 209-11, 224-37, 243-47, 255-69, exhibits 18, 34, and the following additional documents: Answer to SAC, ¶¶ 44-45, 47, 49-50 and Oracle's Responses to RFPs 71, 72, 80, 93, 95-98, 103-104, 148, 150-155, 158-159, 174.

Facts related to Oracle's affirmative action training regarding pay or compensation equity or discrimination at pp. 67-68, 122-26, 198-202, 269-70 and exhibit 29.

Facts related to Oracle's Affirmative Action Program and Affirmative Action Plans, including preparation, review, administering, goals and availability to Oracle's employees at pp. 68-70, 73-75, 87-96, 98-118, 120-21, 169-70 and exhibit 21.

Facts relating to whether Shauna Holman-Harries' Compliance Group takes any action related to whether Oracle's employees receive compensation in a non-discriminatory manner at pp. 185-86, 197.

Facts related to whether Oracle's managers analyze pay or compensation equity or discrimination when making individual compensation decisions at pp. 82-84, 87-88, 91-92, 96-98, 114-15, 117-18, 121, 126-27, 174-75, 178-79, 195-96, 240-54, 269-70.

Facts related to the conciliation process for the OFCCP's March 2016 Notice of Violation at pp. 132-48, and Exhibit 19.

Facts related to Oracle's Employee Handbook regarding promotion and compensation policies and practices at pp. 155, 160-68 and Exhibits 25-27, 29.

OFCCP Deposition of Lynne Carrelli:

Facts regarding Oracle's Affirmative Action plan and training about affirmative action requirements at pp. 261-66, 276-78, 296-300 and exhibit 55.

Facts regarding confidentiality, pay transparency and what information about compensation is made

available to employees and supervisors at pp. 210-20, 270-76.
Facts regarding focal review processes at pp. 30-31, 39-46, 68-71, 113-17, 127, 194-220.
Facts regarding training on compensation-related matters at pp. 32-39, 84, 224-28.
Facts regarding bonuses and options at pp. 50-56, 231-32, 243-44 and exhibit 54.
Facts regarding guidelines and approval process for promotions and compensation at pp. 210-20, 228-31 and exhibit 52.
Facts regarding global career level, job code, salary ranges, and compa-ratios at pp. 117-27, 249-55, 300-10 and exhibit 57.
Facts regarding compensation changes occurring in the last few years at pp. 59-60, 173-94.
Facts regarding whether or not Oracle conducts internal audits of compensation and pay equity and whether Oracle has made any adjustments to pay out of equity concerns at pp. 81-83, 110-12, 129-33.
Facts regarding Oracle's compensation guidelines, procedures and policies at pp. 32-39, 91-105, 133-46, 278-95 and exhibits 44 and 56.
Facts regarding hiring, starting pay, and the use of prior pay at pp. 105-110, 133-37, 147-62, 171-72 and exhibits 45-49, 51.
Facts regarding Oracle's use of background checks for new hires at pp. 159-68 and exhibit 49.
Facts regarding Oracle's referral program for new hires at pp. 168 and exhibit 50.
Facts regarding compensation for transfers at pp. 232-34, 243-44 and exhibit 54.
Facts regarding compensation for hires from top schools at pp. 234-40.
Facts regarding approvals for hires at pp. 241-42.

Deposition of Joyce Westerdahl:

Facts regarding hiring, starting pay, and the use of prior pay at pp. 66-69, 73-76, 91-92, 168-181, 209-10, 215-20 and exhibit 62.
Facts regarding compensation for transfers at pp. 69-71, 181-84, 213-14.
Facts regarding compensation for employees of Oracle acquisitions or mergers at pp. 71-73, 184-90.
Facts regarding assignment of new hires, transfers and acquisition employees at pp. 190-98.
Facts regarding salary increases, promotion policies and practices, focal process and budget, and approval process at pp. 76-86, 88-91, 142-46, 247-74 and exhibits 59, 60.
Facts regarding compensation process and written compensation guidelines, job codes, salary ranges, global career level, compa-ratios, and whether salary is tied to product at pp. 92-142, 201-12.
Facts regarding bonuses and options at pp. 278-82 and exhibits 64 & 65.
Facts regarding new Second-Level review process at pp. 214-15.
Facts regarding performance reviews at Oracle at pp. 151-60, 282-83 and exhibits 61, 66.
Facts regarding whether Oracle considers gender or race when making compensation decisions at pp. 160-164.
Facts regarding whether or not Oracle conducts internal audits of compensation and whether Oracle has made any adjustments to pay out of pay equity concerns at pp. 221-225, 240-42, 311-39.
Facts regarding compensation complaints and internal investigations at pp. 226-39, 339-44 and exhibit 70.
Facts about Global Corporate Bonus Fusion Workforce Compensation and compensation policies and practices at pp. 275-78, 283-86 and exhibits 63, 67.
Facts regarding re-hire guidelines at pp. 287-90 and exhibit 68.
Facts regarding terminations and confidentiality agreements at p. 292.
Facts regarding affirmative action plan and whether Oracle has taken any actions regarding pay equity at pp. 293-306, 311-39 and Exhibit 69.
Facts regarding training on compensation-related matters at pp. 201, 205, 306-09.

Facts regarding pay transparency and what information about compensation is made available to employees and supervisors at pp. 165-67, 242-47.

Facts regarding training for managers and employees at pp. 36-38, 62-64.

Facts regarding the organization of Oracle's human resources department at pp. 40-51.

Facts regarding Oracle's written guides, its "Manager's guide", My Oracle and the Employee Handbook at pp. 51-55, 58-62, 86-88.

OFCCP Deposition of Madhavi Cheruvu:

Facts regarding the organization of Oracle's human resources department at pp. 23-40, 141-43, 156-64, 170-77 and exhibits 72, 74.

Facts regarding Oracle's Affirmative Action Program and plan at pp. 240-51.

Facts regarding Oracle's compensation guidelines, procedures and policies at pp. 95, 159-60.

Facts regarding Oracle's guidelines and approval process for promotions and compensation at pp. 155-56, 198-210, 212-28, 266-68, 284-92, 303-14 and exhibits 76, 77.

Facts regarding global career level, job code, salary ranges, and compa-ratios at pp. 51-53, 56-57, 69-82, 95-97, 138-40, 144-47 and exhibit 72.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 43-51, 53-82, 84-85, 100-05, 108-16, 132-40, 177-78, 181-85, 188-94, 251-63 and exhibit 72.

Facts regarding compensation for transfers at pp. 197-98.

Facts regarding compensation for acquisition employees at pp. 40-41, 126-30, 165-67.

Facts regarding bonuses and stock at pp. 228-31.

Facts regarding confidentiality, pay transparency and what information about compensation is made available to employees and supervisors at pp. 116-20, 210-12, 231-32.

Facts regarding training on compensation-related matters at pp. 82-91, 97-100, 120, 151-56, 186-88, 232, 246-47, 299-302 and exhibit 73.

Facts regarding compensation complaints and internal investigations at pp. 168-71, 178-81, 271-72.

Facts regarding performance reviews at Oracle at pp. 232-40.

OFCCP Deposition of Juan Loiaza

Facts regarding job postings, job descriptions, and whether individuals are hired into specific positions at pp. 29-32 and exhibits 48, 78.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 35-51, 67-96 and exhibits 78-83.

Facts regarding budgeting at pp. 51-59.

Facts regarding compensation for transfers at pp. 61-62, 102-07.

Facts regarding salary increases, promotion policies and practices, focal process and budget, and approval process at pp. 59-60, 107-35, 137-49, 214-219, 244-258, 275-321 and exhibits 87-90.

Facts regarding compensation process and written compensation guidelines and procedures, job codes, salary ranges, global career level, compa-ratios, and whether salary is tied to product at pp. 135-37, 165-76, 220-23, 259-75 and exhibits 85-86.

Facts regarding bonuses and stock at pp. 149-56.

Facts regarding performance reviews at Oracle at pp. 59-60.

Facts regarding whether Oracle ever considers gender or race when making compensation decisions at pp. 321-25.

Facts regarding affirmative action plan and whether Oracle has taken any actions regarding pay equity at pp. 223-43, 328-31.

Facts regarding training on compensation-related matters at pp. 176-214 and exhibit 84, 92.

Facts regarding pay transparency and what information about compensation is made available to

employees and supervisors at pp. 157-64.

Jewett Deposition of Kate Waggoner:

Facts regarding the organization of Oracle's human resources department at pp. 25-44.

Facts regarding Oracle's compensation guidelines, procedures and policies at pp. 154-167 and exhibits 41-42, 46.

Facts regarding guidelines and approval process for promotions and compensation at pp 177-200.

Facts regarding global career level, job code, salary ranges, and compa-ratios at pp. 90-104, 170-77, 209-45 and exhibits 26, 43, 45.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 104-16 and exhibits 27-30.

Facts regarding compensation for employees Oracle obtained through acquisition at pp. 90-91, 167-68 and exhibit 25.

Facts regarding bonuses and stock at pp. 149-53 and exhibit 50.

Facts regarding training on compensation-related matters at pp. 67-89, 147-49, 201-09 and exhibits 24, 39.

Facts regarding the "Global Approval Matrix" at pp. 118-41 and exhibits 31-37.

Facts regarding focal review processes at pp. 143-47 and exhibit 38.

Jewett Deposition of Anje Dodson:

Facts regarding training for new hires at pp. 22-50 and exhibits 2-4.

Facts regarding training on management and leadership development at pp. 81-90, 94-100, 138, 186-96 and exhibits 5-8, 15.

Facts regarding performance reviews, which are not mandatory at pp. 91-94, 113-15, 129-44, 198-203, 210-17 and exhibits 9-10, 12, 16, 18-19.

Facts regarding Oracle's definition of and application of core competencies for employees at pp. 144-51, 158-64, 179-87 and exhibits 11-12, 14-15, 17.

Facts regarding training on performance evaluations at pp. 183-96 and exhibits 13-15.

Facts regarding talent profiles and talent management grid at pp. 217-30 and exhibits 20-21.

Facts regarding confidentiality, pay transparency and what information about compensation is made available to employees and supervisors at p. 198.

Facts regarding guidelines and approval process for promotions, salary increases at pp. 53-59, 122-24, 152-56, 207-10, 230-40 and exhibit 22.

Facts regarding Oracle's compensation guidelines and policies at p. 73.

Jewett Deposition of Kristina Edwards:

Facts regarding Oracle's use of recruiters (aka "talent advisors") in hiring at pp. 20-22, 30-31, 49-50 and Exhibit 66, 72.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 18-53 and exhibits 57, 66-68, 71-73.

Jewett Deposition of Chad Kidder:

Facts regarding Oracle's use of recruiters (aka "talent advisors") in hiring at pp. 15-18.

Facts regarding hiring, starting pay, and the use of prior pay at pp. 20-32, 50-52, 58-60 and exhibits 27-28, 57, 66-68, 70, 72-75.

DATED: July 5, 2019

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CERTIFICATE OF SERVICE

I am a citizen of the United States of America and am over eighteen years of age. I am not a party to the instant action; my business address is 300 Fifth Ave., Suite 1120, Seattle, WA 98104.

On the date indicated below, I served the foregoing OFCCP'S SUPPLEMENTAL OBJECTIONS AND ANSWERS TO DEFENDANT ORACLE AMERICA, INC.'S INTERROGATORIES, SET TWO by electronic mail, by prior written agreement between counsel, to the following:

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I certify under penalty of perjury that the above is true and correct.

Executed: July 5, 2019



Senior Trial Attorney
Office of the Solicitor
U.S. Department of Labor

EXHIBIT D

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UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATION LAW JUDGES

OFFICE OF FEDERAL CONTRACT)
COMPLIANCE PROGRAMS, UNITED)
STATES DEPARTMENT OF LABOR,)

Plaintiff,)

vs.)

ORACLE AMERICA, INC.,)

Defendant.)

) OALJ Case No.
) 2017-OFC-00006
) OFCCP No. R00192699

VIDEOTAPED DEPOSITION OF MADHAVI CHERUVU
San Francisco, California
June 11, 2019

REPORTED BY:
JOHNNA PIPER
CSR 11268
Job No. 10057054

1 THE WITNESS: Okay. 09:47:57

2 BY MS. FLORES: 09:47:57

3 Q. Okay. So let's look at the next two 09:48:17

4 sentences here: "I was looking at companies. I did 09:48:20

5 not know anyone at Oracle prior to hire." Is this 09:48:24

6 correct? 09:48:27

7 MR. PARKER: Compound. 09:48:27

8 THE WITNESS: I cannot say for sure whether 09:48:28

9 I knew somebody or not at Oracle. I -- I don't 09:48:36

10 remember. It was 20 -- 20 -- over 20 years ago, so 09:48:39

11 I don't remember. 09:48:50

12 BY MS. FLORES: 09:48:51

13 Q. You didn't previously say that you did know 09:49:00

14 someone at Oracle when you first were hired? 09:49:02

15 A. I did not say that. 09:49:04

16 Q. Okay. I'm looking at the next paragraph 09:49:05

17 that goes, "25 people report to me." We just went 09:49:13

18 over the people that report to you, but is 25 people 09:49:18

19 approximately correct as to the number of the people 09:49:23

20 that report to you? 09:49:26

21 MR. PARKER: Vague as to time; vague and 09:49:26

22 ambiguous. 09:49:28

23 THE WITNESS: I don't -- when -- I don't 09:49:28

24 understand your specific question. 09:49:32

25

1 she reported to you? 09:57:11

2 A. I believe it was HR director. 09:57:12

3 Q. So do you remember when we went through the 09:57:19

4 people that report to Kimberly Logan, Sid Deka, and 09:57:32

5 Bhumika Sen? The people that report to them, 09:57:36

6 what -- what job titles -- what -- what are the job 09:57:41

7 titles that people hold that report to them? 09:57:45

8 MR. PARKER: Compound. 09:57:48

9 THE WITNESS: HR representative, senior HR 09:57:48

10 representative, HR business partner, could be senior 09:57:58

11 HR business partner. 09:58:10

12 BY MS. FLORES: 09:58:12

13 Q. Okay. Looking at Exhibit 72, the next 09:58:13

14 sentence says, "The other 20 are HR business 09:58:17

15 partners, HR representatives, and senior HR business 09:58:23

16 partners." Was this correct in 2015 in March? 09:58:27

17 A. I don't remember the number. 09:58:32

18 Q. But the job titles are correct? 09:58:37

19 MR. PARKER: Vague and ambiguous. 09:58:42

20 THE WITNESS: Likely, yes, they are. 09:58:43

21 BY MS. FLORES: 09:58:48

22 Q. Okay. Looking at the next paragraph on 09:58:52

23 Exhibit 72 it says, "I do HR for the engineering 09:58:55

24 organization that I support, handling all aspects of 09:58:59

25 acquisitions we do regarding retaining our best 09:59:03

1 people and how to develop our best people." Was 09:59:06
2 this correct in March 2015? 09:59:12
3 MR. PARKER: Compound. 09:59:16
4 THE WITNESS: No, it was not. 09:59:16
5 BY MS. FLORES: 09:59:21
6 Q. Okay. And what is not correct? 09:59:21
7 MR. PARKER: Compound. 09:59:26
8 THE WITNESS: I just -- I didn't ask -- 09:59:27
9 handling all aspects of acquisitions is not -- not 09:59:32
10 what I did. 09:59:35
11 BY MS. FLORES: 09:59:39
12 Q. In March 2015? 09:59:39
13 A. Correct. 09:59:41
14 Q. Do you handle aspects of acquisition 09:59:43
15 currently? 09:59:45
16 MR. PARKER: Vague and ambiguous. 09:59:49
17 THE WITNESS: I don't know what that 09:59:49
18 question means. 09:59:50
19 BY MS. FLORES: 09:59:51
20 Q. Do you handle any aspects when there's an 09:59:51
21 acquisition right now? 09:59:54
22 MR. PARKER: Vague and ambiguous. 09:59:55
23 THE WITNESS: I don't directly, no. 09:59:56
24 BY MS. FLORES: 09:59:59
25 Q. Not directly? 09:59:59

1 if it was a -- a senior hire that my executive was 10:23:20
2 bringing in, then he -- he would determine what the 10:23:24
3 salary was and would again ask me for what the range 10:23:26
4 for the position is. 10:23:29
5 BY MS. FLORES: 10:23:30
6 **Q. For someone in a different line of 10:23:31**
7 **business? 10:23:33**
8 MR. PARKER: Vague and ambiguous. 10:23:34
9 THE WITNESS: In the line of business that 10:23:35
10 I was supporting. 10:23:39
11 BY MS. FLORES: 10:23:41
12 **Q. And what are the lines of business that you 10:23:42**
13 **were supporting in March 2015? 10:23:43**
14 A. I know I was supporting the -- what -- what 10:23:45
15 is called "the development organization" that was 10:23:53
16 run by our executive vice president at that time. 10:23:57
17 **Q. Who was the executive vice president at 10:24:02**
18 **that time? 10:24:06**
19 A. Thomas Kurian. 10:24:06
20 **Q. I'm looking at the next paragraph on 10:24:07**
21 **Exhibit 72. It says, "I look at the skills they 10:24:18**
22 **have on their résumé and look for what kind of 10:24:22**
23 **skills they possess which are key to us." Was that 10:24:25**
24 **statement true in March 2015? 10:24:31**
25 MR. PARKER: Compound; vague and ambiguous. 10:24:34

1 THE WITNESS: No, it was not true. 10:24:35

2 BY MS. FLORES: 10:24:38

3 Q. In March 2015, was it part of your job 10:24:45

4 duties or tasks to look at résumés? 10:24:50

5 A. That's a broad question. I've been a 10:24:55

6 manager, and I have -- I've had to look at résumés 10:25:00

7 at every point in my life -- or not in my life. I 10:25:06

8 mean in my career when I'm trying to hire for 10:25:08

9 individuals. I've had openings all the time on my 10:25:11

10 team. And do I look at résumés? Yes, I do look at 10:25:14

11 résumés. 10:25:17

12 Q. So you -- part of your job is to look at 10:25:18

13 résumés in March 2015? 10:25:22

14 MR. PARKER: Misstates the testimony. 10:25:24

15 THE WITNESS: If I have an opening on my 10:25:27

16 team, I am, as a hiring manager, looking for résumés 10:25:29

17 of individuals that I need to hire to bring, and -- 10:25:34

18 and the way I would look for their background is by 10:25:38

19 looking at their résumé. Yes. 10:25:42

20 BY MS. FLORES: 10:25:43

21 Q. What about for hiring in other people's 10:25:44

22 teams? 10:25:47

23 MR. PARKER: Vague -- 10:25:48

24 THE WITNESS: What -- 10:25:48

25 MR. PARKER: -- and ambiguous. 10:25:48

1 things you do as part of your job? 15:52:09

2 A. I -- I give realtime feedback. I -- I will 15:52:11

3 be doing one. So the answer is I haven't done one 15:52:17

4 recently. 15:52:20

5 Q. When was the last time that you did an 15:52:20

6 employee evaluation? 15:52:22

7 A. I cannot remember. 15:52:23

8 Q. Was it in the past five years? 15:52:24

9 A. For whom? For -- 15:52:32

10 Q. For the people in -- in your team. 15:52:34

11 A. I'd have to say maybe. 15:52:41

12 Q. Okay. Do you know if you conducted one in 15:52:43

13 the past two years? 15:52:47

14 A. I have not. 15:52:47

15 Q. Do you or anyone in your team, and we're 15:52:48

16 going back to March 2015, review the employee 15:52:58

17 evaluations that the managers in Thomas Kurian's 15:53:04

18 team conducted? 15:53:08

19 A. No. 15:53:09

20 Q. Oh, do you know if it's permitted -- or let 15:53:12

21 me go back. 15:53:33

22 Is -- do you know if it would be 15:53:34

23 appropriate for you conducting an evaluation and 15:53:36

24 stating that -- stating how an employee conducted 15:53:42

25 their job and in addition include the fact that they 15:53:47

1 became a new parent? 15:53:50

2 MR. PARKER: Vague and ambiguous. 15:53:53

3 THE WITNESS: I don't understand that 15:53:54

4 question. 15:53:56

5 BY MS. FLORES: 15:53:56

6 Q. Do you think it is relevant to include the 15:53:57

7 fact that an employee became a new parent in 15:54:00

8 their -- in their evaluation? 15:54:02

9 MR. PARKER: Lacks foundation; vague and 15:54:05

10 ambiguous. 15:54:07

11 THE WITNESS: No. 15:54:09

12 BY MS. FLORES: 15:54:09

13 Q. Would it be concerning to you if you 15:54:19

14 reviewed a performance evaluation and you saw that 15:54:21

15 somebody was evaluated as -- as a person who's not 15:54:27

16 committed because they're a parent? 15:54:31

17 MR. PARKER: Lacks foundation; calls for 15:54:33

18 speculation; vague and ambiguous. 15:54:37

19 THE WITNESS: Can you repeat that question 15:54:38

20 again? 15:54:40

21 BY MS. FLORES: 15:54:41

22 Q. Would it be concerning to you if you 15:54:41

23 reviewed a performance evaluation and you saw that 15:54:44

24 the employee was evaluated as someone who wasn't 15:54:47

25 committed, as into their work, because they're a 15:54:50

1 parent? 15:54:53

2 MR. PARKER: Same objections. 15:54:56

3 THE WITNESS: Yeah, I would be concerned. 15:54:56

4 BY MS. FLORES: 15:54:58

5 Q. What would you do in that circumstance? 15:55:01

6 A. Hasn't happened to me, so I -- I can't 15:55:02

7 answer that question. 15:55:05

8 Q. If it did, what steps would you take? 15:55:08

9 MR. PARKER: Calls for speculation; asked 15:55:09

10 and answered. 15:55:12

11 THE WITNESS: It's not happened to me, so I 15:55:12

12 cannot answer the question. 15:55:15

13 BY MS. FLORES: 15:55:15

14 Q. Would you report it to anyone specific? 15:55:17

15 MR. PARKER: Same objections. 15:55:19

16 (Reporter requests clarification.) 15:55:22

17 THE WITNESS: It hasn't happened to me. 15:55:22

18 BY MS. FLORES: 15:55:25

19 Q. If it were to happen, would you tell 15:55:26

20 anyone? 15:55:31

21 MR. PARKER: Asked and answered. 15:55:31

22 THE WITNESS: I don't know how to answer 15:55:32

23 that question because it's never happened to me. 15:55:34

24 BY MS. FLORES: 15:55:42

25 Q. Did you review any of the performance 15:55:51

1 level and the -- at the same salary that they 17:42:39
2 originally had with you? 17:42:41
3 A. It -- it depends what -- what job they're 17:42:42
4 going into. 17:42:46
5 Q. Okay. What if it was a -- a grade 17:42:47
6 increase? So if they were like a -- with you they 17:42:53
7 started as an IC-2, and then they got a job that was 17:42:58
8 an IC-3 in benefits? Would that be mean -- would -- 17:43:03
9 I mean just be -- just by the IC increase, would 17:43:07
10 that mean a salary increase? 17:43:11
11 MR. PARKER: Vague and ambiguous; lacks 17:43:13
12 foundation. 17:43:14
13 THE WITNESS: The hiring manager would make 17:43:15
14 that decision. 17:43:19
15 BY MS. FLORES: 17:43:20
16 Q. Okay. The manager accepting the employee? 17:43:20
17 A. Correct. 17:43:22
18 Q. Okay. During the focal review and -- okay. 17:43:23
19 We can go to the statement. 17:43:42
20 MR. PARKER: I'm sorry. I object to the -- 17:43:44
21 the word "statement." 17:43:46
22 BY MS. FLORES: 17:43:47
23 Q. Yes. On page 538 of Exhibit 72, I'm at the 17:43:47
24 sentence that says "during the focal time." Do you 17:43:59
25 see where I'm at? 17:44:01

1 A. Uh-huh. Yes. 17:44:02

2 Q. "During the focal time, if I'm seeing big 17:44:02

3 masses of promotions, I'll look at how many senior 17:44:05

4 positions are in the group." Is that a true 17:44:08

5 statement for -- by you in March 2015? 17:44:13

6 MR. PARKER: Lacks foundation; vague and 17:44:18

7 ambiguous. 17:44:21

8 THE WITNESS: No. 17:44:21

9 BY MS. FLORES: 17:44:21

10 Q. No. What about now? 17:44:22

11 MR. PARKER: Same objections. 17:44:23

12 THE WITNESS: No. 17:44:25

13 BY MS. FLORES: 17:44:29

14 Q. Okay. And the next sentence is -- okay. 17:44:31

15 Well, let me ask in a different way without looking 17:44:34

16 at the statement. Is it considered a promotion if a 17:44:38

17 person has a -- a change in level, an increase in 17:44:41

18 level? 17:44:45

19 MR. PARKER: Vague and ambiguous. 17:44:45

20 THE WITNESS: Typically. 17:44:48

21 BY MS. FLORES: 17:44:55

22 Q. Are there situations where it would not be 17:45:01

23 considered a promotion? 17:45:04

24 MR. PARKER: Vague and ambiguous. 17:45:06

25 THE WITNESS: I -- I don't know. 17:45:07

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CERTIFICATE OF REPORTER

I, JOHNNNA PIPER, a Certified Shorthand Reporter, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth and nothing but the truth in the within-entitled cause;

That said deposition was taken down in shorthand by me, a disinterested person, at the time and place therein stated, and that the testimony of the said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

Further, that if the foregoing pertains to the original transcript of a deposition in a federal case, before completion of the proceedings, review of the transcript [X] was [] was not requested.

I further certify that I am not of counsel or attorney for either or any of the parties to the said deposition nor in any way interested in the event of this cause and that I am not related to any of the parties thereto.

DATED: June 18, 2019



JOHNNNA PIPER, CSR 11268

EXHIBIT E

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UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES

--oOo--

OFFICE OF FEDERAL CONTRACT
COMPLIANCE PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

vs.

OALJ Case No.
2017-OFC-00006
OFCCP Case No.
R00192699

ORACLE AMERICA, INC.,

Defendant.

_____ /

VIDEOTAPED DEPOSITION OF
SEAN RATLIFF

August 14, 2019

REPORTED BY:

DELAINE HALL

CSR 10164

JOB NO. 10059101

1 BY MR. SHWARTS: 09:09:35

2 Q. Are you able to answer my question? 09:09:36

3 A. What was the operative part of the 09:09:41

4 question again? 09:09:43

5 Q. The operative part of the question is in 09:09:43

6 light of the -- please, I'm making specific 09:09:47

7 reference to topic number 1. 09:09:51

8 A. Right. 09:09:53

9 Q. I asked you to identify for me the facts 09:09:53

10 that support the allegations of paragraphs 12 and 41 09:09:55

11 of the second amended complaint. 09:09:59

12 MS. BREMER: Same objections. 09:10:04

13 THE WITNESS: Okay. So I would start by 09:10:04

14 saying that the allegations in 12 and 41 are -- are 09:10:07

15 somewhat broad in the sense of what's being asked 09:10:09

16 because essentially you have discrimination against 09:10:15

17 women, right? So that's kind of like asking me to 09:10:18

18 try to remember all the facts that support this case 09:10:24

19 in a way, right? So I'm not going to be able to 09:10:28

20 tell you every fact that we have. 09:10:31

21 I would refer you to our interrogatory 09:10:35

22 responses and discovery responses. I think that 09:10:38

23 attorneys in the case have tried to lay out sort of 09:10:41

24 in a comprehensive fashion the facts that support 09:10:44

25 our claims in this case. 09:10:48

1 I can tell you that in terms of facts that 09:10:50
2 support that women were discriminated against, there 09:10:55
3 are the various models that, you know, were put 09:11:01
4 forward in the complaint itself by Mr. Brunetti, and 09:11:03
5 which he discussed in his deposition. 09:11:07
6 There are the various documents that 09:11:10
7 outline Oracle's global job architecture and the 09:11:12
8 policies and pay practices that it uses. There's 09:11:17
9 Power Points on these things. There's witness 09:11:22
10 testimony about the way that compensation is 09:11:25
11 structured at the company. 09:11:30
12 There were policies in place that, for 09:11:37
13 example, used starting salary as a benchmark for 09:11:42
14 setting people's pay. There were -- and that -- 09:11:49
15 that shows up in a number places, I mean, both in, 09:11:54
16 you know, witness statements, interviews with 09:12:00
17 management at Oracle that the agency conducted 09:12:03
18 during the compliance review. There are documents, 09:12:06
19 hiring documents, for example, that use starting pay 09:12:09
20 in making offers. I mean, it's a built-in sort of 09:12:16
21 line to those I guess forms that get used. 09:12:19
22 And then there are in addition, you know, 09:12:26
23 when you are talking about use of starting pay, 09:12:28
24 there's a disclaimer that when you sign on that, you 09:12:31
25 know, you agree that they are going to conduct a 09:12:35

1 background check into your prior salary history. So 09:12:38
2 there's a lot of these I would say. Those are just 09:12:41
3 some examples that deal with starting pay. 09:12:41
4 There are, you know, witness statements 09:12:48
5 from women I believe that talk about managers at 09:12:49
6 Oracle or people at Oracle talking about how you can 09:12:56
7 hire women at a lower pay, and they'll work harder 09:12:59
8 for less pay. 09:13:04
9 There are instances of women who worked 09:13:07
10 for the company for years and had good performance 09:13:12
11 reviews. And then, you know, only when they were 09:13:18
12 threatening to leave the company does somebody 09:13:20
13 consider giving them a pay raise. 09:13:23
14 There are -- I mean, Oracle talks about 09:13:26
15 the -- sorry. It's a lot to try to -- you are 09:13:35
16 asking me to catalog a bunch of things. So I'm 09:13:42
17 trying to sort of delve into my memory here. 09:13:45
18 There -- there's instances where I think 09:13:48
19 there was a complaint somewhere that I saw where, 09:13:54
20 you know, they talked about the reason you are 09:13:57
21 getting paid less is because you essentially stayed 09:14:00
22 here longer. You didn't leave, right? And so 09:14:02
23 there's those kinds of things. 09:14:05
24 There are -- there's the fact that it 09:14:08
25 doesn't appear that Oracle -- well, at least Oracle 09:14:14

1 was unwilling or unable to produce any sort of 09:14:19
2 compensation analyses to the agency during the 09:14:23
3 investigation or as part of the litigation in this 09:14:27
4 matter. 09:14:32

5 There are -- the AAP itself doesn't really 09:14:35
6 talk about, substantively, anyway, any sort of pay 09:14:41
7 analyses or corrections that would have needed to be 09:14:47
8 made with respect to female compensation or 09:14:50
9 compensation in general. There's -- did I already 09:14:55
10 talk about the overall structure? 09:15:08

11 **Q. You mentioned it.** 09:15:10

12 A. Okay. So, I mean, you've got a job 09:15:12
13 architecture, right? People are assigned to a code 09:15:14
14 when they hire someone. There's a code that's 09:15:18
15 assigned. It's got job title. It's got function. 09:15:20
16 It's got specialty area. It's got global job level 09:15:25
17 I think it's called. 09:15:28

18 They can adjust somebody's level is my 09:15:30
19 understanding when they are hired. I mean, they can 09:15:36
20 post it at one position, or one global job level, 09:15:38
21 and then hire up or down one. You've got instances 09:15:42
22 where -- I can recall at least an instance where I 09:15:47
23 looked at some documents that indicated that a woman 09:15:50
24 was hired at a different job title than she was 09:15:53
25 originally applied for. 09:15:56

1 So there are a lot of things that I think 09:15:57
2 that support our general allegations that women are 09:16:00
3 paid less than men. And as sort of discussed in 09:16:04
4 those paragraphs, I'm not going to be able to spit 09:16:09
5 everything out. There's -- you know, as I 09:16:14
6 understand it, at the time this complaint was 09:16:15
7 drafted there were over 350,000 pages of documents 09:16:18
8 and probably millions of data points in the 09:16:23
9 different data files that were presented to us. 09:16:27
10 So I will do my best to recall and give 09:16:30
11 you examples, but I'm not going to be able to spit 09:16:33
12 out everything that might support them. So, again, 09:16:36
13 I would refer you to the discovery responses. I 09:16:38
14 think they are probably more comprehensive than my 09:16:41
15 memory will be. 09:16:44
16 **Q. Let me ask this initial question. Did you** 09:16:45
17 **review the interrogatory responses that correspond** 09:16:48
18 **to this in preparation for today?** 09:16:52
19 A. I reviewed -- I had access to the 09:16:55
20 interrogatory responses, yes. Did I review every 09:17:01
21 page? No. 09:17:05
22 **Q. Are you aware of -- at least with respect** 09:17:07
23 **topic 1, are you aware of facts that are not** 09:17:08
24 **identified in the interrogatory responses that** 09:17:12
25 **support OFCCP's allegations in paragraph 12 and 41?** 09:17:16

1 those interrogatory responses. 09:18:59

2 So you can respond to the extent with 09:19:01

3 respect to facts that we had at the time of the 09:19:07

4 second amended complaint, if you are aware any that 09:19:13

5 are not in the interrogatory responses. But with 09:19:18

6 respect to material that we obtained afterwards, 09:19:22

7 that's outside the scope of this deposition. You 09:19:25

8 can respond in your personal capacity. 09:19:30

9 MR. SHWARTS: Well, he's not here to 09:19:34

10 testify in his personal capacity. I don't care what 09:19:35

11 he has to say in his personal capacity. He's here 09:19:38

12 to testify as a 30(b)(6) witness. So this notion 09:19:42

13 that he's testifying in any way in a personal 09:19:45

14 capacity is improper. I don't care what he has to 09:19:46

15 say in his personal capacity. 09:19:49

16 MS. BREMER: Okay. Well, on behalf of 09:19:49

17 OFCCP you can testify as of the information that we 09:19:51

18 had at the time of the filing of the second amended 09:19:53

19 complaint. 09:19:57

20 THE WITNESS: And after all of that, I am 09:20:02

21 trying to recall what the original thrust of the 09:20:05

22 question was. 09:20:05

23 BY MR. SHWARTS: 09:20:08

24 Q. The question was: Are you aware of any 09:20:08

25 facts that are not disclosed in the OFCCP's 09:20:10

1 interrogatory responses that support the allegations 09:20:14
2 of the second amended complaint paragraph 12 and 41? 09:20:16
3 MS. BREMER: Again, I object it's outside 09:20:22
4 the scope of the deposition. You can testify as to 09:20:24
5 facts that OFCCP had in its possession at the time 09:20:28
6 that it drafted the second amended complaint. 09:20:32
7 THE WITNESS: I think I understand what 09:20:36
8 you are asking. The -- what is in the -- the 09:20:38
9 supplemental responses, the discovery responses that 09:20:44
10 the agency gave, I believe encompass -- I'm not 09:20:47
11 aware of facts that we had before drafting the 09:20:50
12 complaint itself that are not included in those 09:20:56
13 discovery responses. But I have read those 09:20:59
14 responses, and I understand those responses to 09:21:02
15 reserve the ability to add additional facts because 09:21:04
16 of discovery that was provided to the agency after 09:21:09
17 this complaint was drafted. 09:21:14
18 So there has been discovery disclosure to 09:21:16
19 the agency in more recent months that maybe have not 09:21:19
20 been fully page-by-page reviewed. So there may be 09:21:24
21 things that are not in those discovery responses. 09:21:28
22 I'm not aware of anything that we would have had 09:21:31
23 from before this complaint was drafted that are not 09:21:34
24 included in those responses. 09:21:38
25 //// 09:21:39

1 BY MR. SHWARTS: 09:21:39

2 Q. So, again, I'm asking as of today. I'm 09:21:40

3 entitled to know as of today what facts the agency 09:21:43

4 has to support the allegations of paragraphs 12 and 09:21:47

5 41. 09:21:51

6 If you are directing him not to answer 09:21:51

7 that, you can. But I'm entitled to know what facts 09:21:53

8 up until the day I'm taking this deposition. And 09:21:57

9 the court so recognized in its order that we're 09:22:01

10 entitled to know that. 09:22:04

11 MS. BREMER: I object that that's outside 09:22:05

12 the scope of the deposition. And I don't think that 09:22:06

13 the court recognized that -- that we were required 09:22:09

14 or compelled us to put somebody up to talk about 09:22:16

15 every fact in the entire case. My understanding is 09:22:20

16 that it's the facts that are in the -- that we had 09:22:28

17 at the time that we filed the second amended 09:22:31

18 complaint. 09:22:34

19 MR. SHWARTS: Really? It's your position, 09:22:34

20 so I can be clear when we tell the judge this, that 09:22:36

21 your position is that we're not entitled to know any 09:22:37

22 facts OFCCP is using and may have to support the 09:22:40

23 second amended complaint postdating March 8th of 09:22:44

24 2019? 09:22:47

25 MS. BREMER: What I'm saying is that 09:22:48

1 that's not the topic of this deposition. 09:22:49

2 MR. SHWARTS: The topic of the deposition 09:22:54

3 are facts that support the allegations. It doesn't 09:22:55

4 say the facts that support the allegation as of 09:22:59

5 March 8th. This complaint is the complaint you are 09:23:02

6 taking to trial. It's the complaint that is being 09:23:04

7 used to make allegations against Oracle that's going 09:23:06

8 to support the basis upon which we are going to 09:23:08

9 hearing in December. 09:23:11

10 So I'm entitled to know the facts that you 09:23:12

11 have that support the allegations in that document. 09:23:15

12 And it doesn't cut off on the day you file it. We 09:23:17

13 asked you for the facts that support it, and we're 09:23:21

14 entitled to all of those facts, not just the ones 09:23:25

15 that you think you want to cut off as of a 09:23:27

16 particular date and then decide to show up with new 09:23:30

17 facts at trial. 09:23:33

18 Again, if you want to instruct and 09:23:36

19 instruct him not to answer on the basis that the 09:23:38

20 topic doesn't cover post March 8th, go right ahead. 09:23:40

21 My question is pending. 09:23:47

22 THE WITNESS: What is the question? 09:23:50

23 BY MR. SHWARTS: 09:23:51

24 Q. Again -- 09:23:51

25 A. Sorry. There's been a lot of back and 09:23:52

1 well, I don't know that we had run those kinds of 02:43:46
2 analyses at the time. 02:43:50
3 I mean, that's -- I think when you are 02:43:52
4 referring to the analyses that were run, you are 02:43:55
5 thinking about just the sort of total compensation 02:43:57
6 men versus women in terms of paying them in these he 02:44:02
7 certain job functions, right? So in that sense I 02:44:05
8 guess the short of it is that, of course, there was 02:44:10
9 more information available to us when we drafted the 02:44:12
10 second amended complaint than there was in the 02:44:15
11 first. In the NOV, rather. 02:44:17
12 (Discussion held off the record.) 02:44:21
13 BY MR. SHWARTS: 02:44:27
14 Q. All right. Let's move back, if we can, to 02:44:34
15 Exhibit Number 1, page 4. I'd like to go to topic 02:44:39
16 12. Topic 12 is the facts that support the 02:44:49
17 allegations of paragraph 22 and 41 of the second 02:44:55
18 amended complaint that Oracle discriminates against 02:44:59
19 female, Asian and black or African American 02:45:04
20 employees by placing those employees in lower global 02:45:07
21 career levels, and that Oracle discriminates against 02:45:11
22 Asians and women in their base compensation upon 02:45:14
23 hiring them including OFCCP's analyses and any 02:45:16
24 statistical or regression analysis, statistical or 02:45:19
25 regression methodology, and statistical or 02:45:21

1 regression computation. 02:45:25

2 Aside from what has been already testified 02:45:28

3 to by Dr. Brunetti, what facts does OFCCP have that 02:45:31

4 support the allegations of those two paragraphs of 02:45:36

5 the second amended complaint? 02:45:39

6 MS. BREMER: I'm going to object that the 02:45:40

7 question is vague and ambiguous, compound. It is 02:45:42

8 outside the scope of this deposition both -- and 02:45:48

9 that it calls for attorney-client privileged 02:45:55

10 information as well as attorney work product. 02:46:01

11 You can testify as to the facts that were 02:46:03

12 considered in -- with respect to that topic in 02:46:13

13 drafting those two paragraphs described in the 02:46:21

14 second amended complaint. 02:46:24

15 THE WITNESS: Okay. So there's a -- I 02:46:29

16 feel like there's a lot here. It would probably be 02:46:31

17 easier if it was broken down for me a little bit. 02:46:40

18 BY MR. SHWARTS: 02:46:43

19 Q. Again, I'm going to -- I'll break it down 02:46:44

20 and understanding -- without her having to repeat 02:46:46

21 all of the objections she's made. Why don't we take 02:46:49

22 it in chunks, which is facts relating to the placing 02:46:51

23 of those employees in lower career levels as one 02:46:56

24 piece. Again, subject to counsel's objection. Why 02:46:59

25 don't we start with that? 02:47:04

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CERTIFICATE OF SHORTHAND REPORTER

I, Delaine Hall, Certified Shorthand Reporter, the officer before whom the foregoing proceedings were taken, do hereby certify that the foregoing transcript is a true and correct record of the proceedings; that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision; 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.

Further, that if the foregoing pertains to the original transcript of a deposition in a federal case, before completion of the proceedings, review of the transcript [X] was [] was not requested.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my signature this 16th day of August 2019.



DELAINE HALL, CSR 10164

EXHIBIT F

1 witness not to answer to the extent that it reveals
2 the investigative process used with the agency. If
3 you can answer it without revealing the
4 investigative process -- the nonpublic investigative
5 processes, please do.

6 THE WITNESS: Nonpublic?

7 MR. SHWARTS: Well, let me ask it a
8 different way.

9 BY MR. SHWARTS:

10 Q. As part -- in the Pacific region, and you
11 can let me know if it's a national policy beyond the
12 Pacific region, are -- is there a practice or a
13 policy for the interviewers to prepare a document
14 that reflects both the questions that are being
15 asked of the interviewee, the answers the
16 interviewee gives, create a hard document and
17 provide that document to the interviewee for review
18 and signing?

19 A. Generally, that's a practice.

20 Q. Is that -- again, is that a -- is that a --
21 sort of a loose practice in the region or is it
22 something that is -- you try to have uniformity
23 throughout the region or is it a national practice?

24 A. I can't speak for other regions, but based
25 on my experience, as the District Director within my

1 district office, that was the general practice.

2 Q. And that was -- was that your understanding
3 of how things were done in the region during the
4 time you've been the Assistant Regional Director and
5 the Regional Director?

6 A. That is my general understanding.

7 Q. And is the purpose of that to make sure
8 that there is a contemporaneous, accurate reflection
9 of the interview that has taken place between the
10 OFCCP and the employee of the contractor?

11 A. Yes.

12 Q. And also to provide that employee with
13 the -- you know, in -- close in time, so their
14 memory is refreshed as to what they said so they can
15 review it and affirm to you the accuracy of the
16 notes that were taken?

17 A. Yes.

18 Q. Was any -- was there any decision made in
19 the case of the Oracle audit that you would not
20 provide those written statements in -- you know,
21 contemporaneously with the Oracle employees who had
22 been interviewed?

23 A. Not that I'm aware of.

24 Q. Are you aware of the fact that they were
25 not for at least five to six months after the

1 onsite?

2 A. I was not aware of that until much later.

3 Q. Did you ever learn as to why that

4 happened --

5 A. No.

6 Q. -- why it was that -- that Mr. Mikel and
7 Ms. Atkins and the others who were running the
8 onsite failed to provide the Oracle employees with
9 the notes -- with the question-and-answer notes of
10 their interviews for signature?

11 A. I don't know why.

12 MR. MILLER: Objection. Vague as to
13 "employees."

14 Robert, are you talking about manager --
15 management employees?

16 MR. SHWARTS: I'm talking about anybody.

17 THE WITNESS: None of the employees were
18 provided with interview statements to review?

19 MR. SHWARTS: That is my understanding.

20 THE WITNESS: Okay. I did not know that.

21 BY MR. SHWARTS:

22 Q. Well, they were not provided for -- were
23 not given to people to sign for at least six months.

24 A. Six months? I'm not sure why that
25 happened.

1 Q. And that Oracle raised issues with the fact
2 that it was so close to the time of the audit, not
3 leaving sufficient time to schedule those?

4 A. I don't recall.

5 Q. Did you have any role in determining which
6 individuals would be interviewed at the onsite or
7 was that something in the discretion of Mr. Mikel
8 and his team?

9 A. There may have been a general discussion on
10 who we need to interview, but not -- I didn't
11 identify specific individuals to interview.

12 Q. Returning -- you can put that aside for the
13 moment, please.

14 Return back to the FCCM.

15 A. Okay.

16 Q. And you can look with me on page 103, if
17 it's in there.

18 A. Okay.

19 Q. This is the section that talks about
20 general interview principles.

21 A. Uh-hm. Yes.

22 Q. And if you look with me to the next page,
23 which is 104. At the bottom, it's a section on
24 formal interviews. So the FCCM apparently provides
25 specifically:

1 "After a formal interview, the CO must ask
2 each person to read, sign, and date the
3 CO's interview notes. At the conclusion of
4 the interview, the CO will review the
5 questions asked and the answers given and
6 obtain confirmation that any direct quotes
7 are accurate and that all phrases convey
8 the interviewee's intended meaning.

9 The CO will promptly type the handwritten
10 interview notes using MS Word in order to
11 provide the interviewee with a hard copy to
12 sign as soon as possible after the
13 interview. The CO must enter the following
14 phrase above the space the interviewee will
15 sign and put it there."

16 So this is apparently a -- a national
17 standard in terms of how to record interviews,
18 correct?

19 A. Yes.

20 Q. Again, any reason why this -- this policy
21 was not followed in the case of the Oracle
22 headquarters' onsite?

23 MR. MILLER: Objection. Mischaracterizes
24 prior testimony.

25 MR. SHWARTS: You may answer.

1 THE WITNESS: I don't recall why that
2 didn't happen here.

3 BY MR. SHWARTS:

4 Q. Was any disciplinary action taken against
5 Mr. Luong or Mr. Mikel or anyone else because they
6 did not follow policy in the context of the Oracle
7 headquarters' onsite?

8 MR. MILLER: Objection. Mischaracterizes
9 prior testimony.

10 MR. SHWARTS: You may answer.

11 THE WITNESS: Not that I'm aware of.

12 MR. SHWARTS: Okay.

13 THE WITNESS: I mean, not following the
14 FCCM verbatim doesn't call for a disciplinary
15 action.

16 BY MR. SHWARTS:

17 Q. So are people free to ignore it at their
18 whim without any --

19 A. It depends on the circumstance. I mean, in
20 this situation, I don't know why that didn't take
21 place. So it depends on what the reason is.

22 Q. Are -- are COs free to ignore the FCCM at
23 their discretion?

24 A. They don't ignore it, but there may be --
25 they may deviate, depending on the circumstance.

1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:

4 That the foregoing proceedings were taken
5 before me at the time and place herein set forth;
6 that any witnesses in the foregoing proceedings,
7 prior to testifying, were placed under oath; that a
8 verbatim record of the proceedings was made by me
9 using machine shorthand which was thereafter
10 transcribed under my direction; further, that the
11 foregoing is an accurate transcription thereof.

12 Further, that if the foregoing pertains to
13 the original transcript of a deposition in a federal
14 case, before completion of the proceedings, review of
15 the transcript [] was [X] was not requested.

16 I further certify that I am neither
17 financially interested in the action nor a relative
18 or employee of any attorney of any of the parties.

19 IN WITNESS WHEREOF, I have this date
20 subscribed my name.

21

22 Dated: June 27th, 2019

23

24

25



MONICA LEPE-GEORG, No. 11976

EXHIBIT G

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UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES

---oOo---

OFFICE OF FEDERAL CONTRACT
COMPLIANCE PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

vs.

OALJ No. 2017-OFC-00006
OFCCP No. R00192699

ORACLE AMERICA, INC.,

Defendant.

_____ /

VIDEOTAPED DEPOSITION OF
MILTON CROSSLAND

SAN FRANCISCO, CALIFORNIA
TUESDAY, JUNE 18, 2019

REPORTED BY:

HOLLY THUMAN, CSR No. 6834, RMR, CRR

Job No.: 10056897

1 usually granted, the extension time. 12:05:26

2 So it's based on the response. 12:05:29

3 Q. Understood. Do you believe that there is 12:05:33

4 a minimum amount of time that would be reasonable? 12:05:36

5 A. Well, it depends on the size of the -- the 12:05:40

6 contractor, the number of people within that 12:05:43

7 organization, and what we are actually requesting. 12:05:47

8 So that would determine how long that, you know, we 12:05:52

9 need to get that information. 12:05:57

10 Q. If you could turn to page 102 in 12:06:02

11 Exhibit 3. You'll see at the bottom of page 102 12:06:05

12 there's a bold heading, "2M: Interviews." Right? 12:06:25

13 A. Right. 12:06:30

14 Q. So this starts the interview section of 12:06:30

15 the FCCM. Correct? 12:06:32

16 A. Correct. 12:06:34

17 Q. If you turn the page to 103, you'll see 12:06:38

18 the heading "General Interview Principles and 12:06:40

19 Procedures." 12:06:43

20 A. Yes. 12:06:45

21 Q. It says in the second paragraph underneath 12:06:45

22 that heading: 12:06:47

23 "COs must document in writing the content 12:06:47

24 of these discussions as soon as possible. It 12:06:51

25 is a good practice for COs to review their 12:06:54

1 notes of these discussions with the 12:06:57
2 interviewee to ensure they accurately reflect 12:06:58
3 the interviewee's statements." 12:07:02

4 Is your process as a compliance officer or 12:07:06
5 equal opportunity specialist to document in writing 12:07:10
6 the content of any interviews as soon as possible? 12:07:13

7 A. Yes. 12:07:16

8 Q. And typically in your practice when are 12:07:16
9 you able to document the content of the 12:07:22
10 discussions? 12:07:26

11 A. Depending on how long the interview took 12:07:34
12 place, it could take a couple days, it could -- 12:07:40
13 sometimes it could take a day; it could be a few 12:07:44
14 days. 12:07:47

15 Q. Is it your typical practice as a 12:07:49
16 compliance officer or equal opportunity specialist 12:07:50
17 to review your notes of interviews with the 12:07:53
18 interviewee before they leave the room? 12:07:57

19 A. No. It depends -- well, to be honest, 12:08:03
20 when you're on site, you're interviewing a number 12:08:07
21 of people, we don't -- it's -- as a business 12:08:11
22 necessity, we're trying to make sure that we don't 12:08:14
23 interrupt the business of that contractor. So we 12:08:18
24 try to have a certain number of interviews for 12:08:21
25 managers and employees for the time period that 12:08:27

1 we've set out to conduct this onsite review. 12:08:32

2 So based on that -- so oftentimes we don't 12:08:37

3 have time -- if there's a lot of people that we're 12:08:40

4 supposed to interview, we don't have time to allow 12:08:43

5 that person just to go over the notes at that time. 12:08:45

6 If there's a smaller number of people, sometimes we 12:08:48

7 are able to allow that to happen. 12:08:52

8 But it just depends on the complexity of 12:08:55

9 the case, how many people would have to be at the 12:08:57

10 interview throughout that week or two weeks. And 12:09:00

11 so sometime we do; sometime we don't. 12:09:07

12 **Q. Would you agree that in those instances 12:09:12**

13 **where you do not permit the interviewee to review 12:09:15**

14 **your notes prior to them leaving the room it is 12:09:19**

15 **more important to provide the summary of the 12:09:25**

16 **interview more quickly to that interviewee? 12:09:27**

17 A. My experience has been that we will ask 12:09:31

18 for the, you know, email address or a way of 12:09:34

19 sending that information to that particular person 12:09:40

20 so they can review it without having all these 12:09:44

21 constraints. Because we don't want them to just 12:09:47

22 rush straight through it. We want them to -- you 12:09:51

23 know, there's some -- oftentimes there's a lot of 12:09:53

24 information that is being provided. 12:09:56

25 So if we rush them, it becomes more 12:09:57

1 frantic at times. So oftentimes we will allow them 12:10:02
2 to kind of just absorb what's been said and to edit 12:10:06
3 whatever they need to and send it back to us so we 12:10:11
4 can sign and date it. 12:10:15

5 **Q. My question was a little bit different.** 12:10:20

6 A. Oh, okay. 12:10:22

7 **Q. My question was: In those instances where** 12:10:24
8 **the employee is not able to review the interview** 12:10:26
9 **notes before they leave the interviewee --** 12:10:30
10 **interview, is it more important to make sure that** 12:10:33
11 **the summary that they receive, they receive** 12:10:37
12 **promptly to ensure that the notes are accurate?** 12:10:41

13 A. Well, promptly -- the question is what is 12:10:44
14 promptly, because oftentimes if there's 30 minutes 12:10:51
15 to interview this person and there's -- the person 12:10:54
16 is long-winded and takes up that 30 minutes, it's 12:10:57
17 unreasonable to say it was less -- have the 12:11:02
18 person -- the next person that we're supposed to 12:11:07
19 interview wait for another 15 to 20 minutes. We 12:11:10
20 don't want problems with the contractor, and we 12:11:13
21 want to make sure that we are interviewing the 12:11:15
22 number of people that we set out to interview. 12:11:18

23 So oftentimes a lot of people that we 12:11:21
24 interview, they have a lot to say, and it takes 12:11:26
25 that -- takes some time, that whole period of time. 12:11:31

1 So it's almost -- we don't want the contractor to 12:11:35
2 get mad, so we have to maintain that schedule. 12:11:42
3 So I'm hoping I'm answering that question. 12:11:46
4 **Q. So hypothetically, if an interview was 12:11:49**
5 **30 -- a scheduled 30-minute interview and it took 12:11:51**
6 **the entire 30 minutes, would you expect to be able 12:11:54**
7 **to send that interviewee a summary of the interview 12:11:59**
8 **within five days? 12:12:03**
9 A. Oh, yes. It's usually before that 12:12:08
10 five days. 12:12:10
11 **Q. So you think five days is more time than 12:12:11**
12 **necessary to send that summary for that 30-minute 12:12:13**
13 **interview to that interviewee. Is that true? 12:12:16**
14 A. Well, let me see. 30 minutes or 12:12:18
15 45 minutes, it depends on the type of issues and -- 12:12:21
16 there might be more than just one issue also. 12:12:24
17 There might be compensation, and it could be 12:12:29
18 hiring. 12:12:32
19 So we're trying to make sure we're 12:12:32
20 covering both -- asking all the pertinent questions 12:12:35
21 to that person. And based on the answers, based on 12:12:44
22 the typist, and based on the information that has 12:12:47
23 been provided, we want to make sure that we 12:12:49
24 maintain that scheduled timeline, and we want to 12:12:53
25 make sure that the interviewee has ample time to 12:13:05

1 review the notes. 12:13:08

2 So my experience has always been that we 12:13:09

3 have the right kind of connection with that 12:13:13

4 interviewee so that that person doesn't think 12:13:16

5 they're rushed, that that person will know that 12:13:20

6 they have adequate time to review. 12:13:24

7 So the best practice of doing that is to 12:13:26

8 make sure that we send it to them so that they -- 12:13:28

9 they're able to have the time that they need to 12:13:34

10 make sure everything is correct. 12:13:38

11 **Q. Correct. And I'm not so concerned with 12:13:40**

12 **the time that the interviewee has to review the 12:13:42**

13 **notes. 12:13:46**

14 A. Okay. 12:13:47

15 **Q. What I'm asking is how long between the 12:13:47**

16 **interview itself and the time that you send the 12:13:50**

17 **notes to the interviewee. 12:13:53**

18 **Does that make sense? 12:13:56**

19 A. Yes, but I can't answer for other -- see, 12:13:57

20 I can only talk for myself. So usually I say 12:14:00

21 what's -- maybe within a couple days or so I can -- 12:14:05

22 sometime we -- we're typing so fast and we're 12:14:08

23 taking all these notes. We have to make sure that 12:14:12

24 it's adequate, that it looks professional enough to 12:14:15

25 send to that person. So I think within that two, 12:14:17

1 three days, for me, has been adequate time to make 12:14:21
2 sure I send it to them. So -- 12:14:26

3 Q. Could you envision -- as a Compliance 12:14:28
4 Officer -- 12:14:31

5 A. Right, right. 12:14:32

6 Q. -- just speaking generally, given your 12:14:32
7 experience for several years -- how long have you a 12:14:35
8 compliance officer? 12:14:38

9 A. Since 1998. 12:14:39

10 Q. Yeah. Through the turn of the century. 12:14:41
11 In your experience as a compliance 12:14:47
12 officer, can you imagine a scenario where it would 12:14:48
13 take two weeks to turn around an interview summary 12:14:52
14 to that interviewee to review for accuracy? 12:14:56

15 A. Well, 'cause I'm not a manager, I'm -- 12:14:59
16 I -- I'm not involved in that, that part of it. 12:15:04
17 So -- and I don't know if the manager is asking to 12:15:08
18 review it also before it's sent out to that 12:15:14
19 interviewee. So each scenario is different. So I 12:15:17
20 don't -- I'm not sure. 12:15:21

21 Q. But specifically in your own experience, 12:15:22
22 based on the audits that you've done and the 12:15:24
23 interviews that you've done and the summaries that 12:15:27
24 you've turned around, can you imagine a case where 12:15:29
25 it would take more than two weeks to return an 12:15:33

1 interview summary to the interviewee to review and 12:15:36
2 sign for accuracy? 12:15:40

3 A. I think that's -- the management I think 12:15:41
4 is more involved with that -- you know, making that 12:15:45
5 decision. And I -- I can't speak for them. I 12:15:48
6 can't talk about that time frame with that scenario 12:15:56
7 being what it is. 12:15:59

8 Q. And you said that you think it's the 12:16:03
9 management that's involved in making that decision. 12:16:05

10 What decision is management involved in? 12:16:08

11 A. Oftentimes, depending on the case, 12:16:11
12 depending on the complexity of the case, the type 12:16:13
13 of interviews we have, oftentimes -- you know, 12:16:15
14 we -- they want to make sure that the 12:16:19
15 information -- they are compiling the data, to 12:16:21
16 compile the information that's being provided from 12:16:26
17 those certain interviewees, and they determine, you 12:16:29
18 know, exactly the next plan of action in regards to 12:16:36
19 that. And oftentimes I'm not involved in that, in 12:16:42
20 making those decisions. 12:16:46

21 So when I said the practice for me, 12:16:48
22 depending on the case, and the complexity and 12:16:51
23 non-complexity of the case, sometimes you're able 12:16:56
24 to, you know, submit that in a real, real timely 12:16:58
25 manner, very soon; and other times, management is 12:17:02

1 involved in that as well. 12:17:05

2 So I don't have -- I can't speak on if 12:17:07

3 they make that decision, you know, not sending it 12:17:14

4 to that particular interviewee within that time 12:17:17

5 frame. That's on them. 12:17:19

6 **Q. Do you think it's reasonable to send an 12:17:23**

7 **employee the notes from an interview from two weeks 12:17:26**

8 **prior? 12:17:29**

9 A. I -- because I'm not a manager, I can't 12:17:30

10 say it is reasonable or not. 12:17:33

11 **Q. Well, you have been a compliance officer 12:17:37**

12 **since 1998. Right? 12:17:40**

13 **So in that capacity as a non-manager, as 12:17:42**

14 **an individual who conducts these interviews and 12:17:44**

15 **drafts these summaries, is it reasonable to you 12:17:47**

16 **that it would take two weeks to return a summary of 12:17:49**

17 **an interview to an interviewee? 12:17:53**

18 A. Well, that may be something that you 12:17:55

19 didn't know, because when we go on site, although 12:17:58

20 it could be my case, managers are the ones that 12:18:01

21 kind of direct the steps. They kind of tell -- 12:18:03

22 tell the COs what we're going to do or what we're 12:18:08

23 not going to do. 12:18:12

24 So it becomes -- although it's my case, 12:18:13

25 but they are -- they are in charge while we're on 12:18:17

1 site and off site. So they -- they make those 12:18:19
2 decisions. And I don't have anything to do with 12:18:25
3 it. I can't say, "Hey, that's unreasonable." They 12:18:27
4 make those decisions. 12:18:31

5 **Q. And is it your testimony today that 12:18:36**
6 **regardless of what you would tell your managers,** 12:18:38
7 **sitting here today, you don't have an opinion as to** 12:18:41
8 **whether it would be reasonable or unreasonable?** 12:18:44

9 A. No. It depends on the complexity of the 12:18:47
10 case, some of the issues in the case, you know, 12:18:50
11 what people are actually saying or not saying. You 12:18:52
12 know, there's different factors that would 12:18:55
13 determine what the next step of action would be. 12:18:58

14 **Q. Recognizing that you're not a manager,** 12:19:04
15 **sitting here today as a compliance officer, do you** 12:19:07
16 **have any opinion as to whether or not it would be** 12:19:11
17 **reasonable to send an interview summary to an** 12:19:13
18 **interviewee two months after the interview?** 12:19:17

19 A. Because I've been around since 1998 and I 12:19:21
20 know what my role is and what I can and cannot do, 12:19:25
21 I stay in my lane. I -- you know, certain things I 12:19:29
22 will say to management; other things I won't say, 12:19:33
23 because I already kind of know what my role is. So 12:19:37
24 I don't get involved in that, in making that 12:19:41
25 decision. 12:19:49

1 Q. And again, just to make sure my question 12:19:50
2 is clear, regardless of the decision-making as to 12:19:52
3 whether or not memos -- interview summaries are 12:19:56
4 sent and when they are sent, putting aside that 12:19:59
5 decision-making process, in your capacity as a 12:20:03
6 compliance officer or equal opportunity specialist, 12:20:05
7 do you have an opinion as to whether or not it 12:20:08
8 would be reasonable to send an interview summary 12:20:11
9 two months after the interview? 12:20:21

10 A. I can't make -- I can't -- I don't have an 12:20:22
11 opinion that I -- I can't say it was reasonable or 12:20:24
12 not. 12:20:29

13 Q. Can you recall an instance in your career 12:20:31
14 where -- putting aside the manager's decision -- 12:20:36
15 where you were unable to turn around an interview 12:20:40
16 summary within two months of an interview? 12:20:45

17 A. For some of the larger contractors out 12:21:07
18 there that we review that are affirmative action 12:21:09
19 programs, for the larger contractors, if there are 12:21:19
20 issues, if there's a really complex type case, 12:21:26
21 there's multiple issues, the practice might be a 12:21:30
22 little different as far as -- well, because the 12:21:39
23 managers are really involved, and more so they're 12:21:51
24 really involved with these larger contractors who 12:21:56
25 are being reviewed, they make all those decisions 12:21:59

1 as far as the timeliness. 12:22:03

2 So because I -- you know, I've had several 12:22:09

3 different managers throughout the years, and based 12:22:13

4 on them being in charge during the onsites, I just 12:22:17

5 provide, you know -- provide them what they're 12:22:23

6 looking for, and basically they make the decision 12:22:27

7 of what we're going to do next. 12:22:31

8 **Q. Do you recall a time in your career where** 12:22:36

9 **it took you more than two months to draft an** 12:22:38

10 **interview summary and provide it to your manager?** 12:22:42

11 A. No -- oh, I could draft it and submit it 12:22:45

12 to them, and then they make the decision what's 12:22:50

13 going to happen next. So it doesn't take me a long 12:22:53

14 period of time to send it to them. So -- and so 12:22:56

15 that's how that works. 12:23:03

16 **Q. Okay. Turning your attention back to** 12:23:17

17 **Exhibit 3, at the bottom of page 103, you see the** 12:23:19

18 **heading is "b. Interview Plan"?** 12:23:22

19 A. Yes. 12:23:25

20 **Q. It says here that, "As a part of the** 12:23:26

21 **onsite plan, the CO must develop appropriate** 12:23:27

22 **questions."** 12:23:30

23 **When you're on site and interviewing** 12:23:31

24 **employees or managers, do you have a pre-written** 12:23:35

25 **list of questions?** 12:23:37

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CERTIFICATE OF STENOGRAPHIC REPORTER

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were duly sworn; that a record of the proceedings was made by me using machine shorthand, which was thereafter transcribed under my direction; that the foregoing transcript is a true record of the testimony given.

Further, that if the foregoing pertains to the original transcript of a deposition in a federal case, before completion of the proceedings, review of the transcript [] was [X] was not requested.

I further certify I am neither financially interested in the action nor a relative or employee of any attorney or party to this action.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: June 24, 2019



Holly Thuman
RMR, CRR, CSR No. 6834

EXHIBIT H

**UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES**

**OFFICE OF FEDERAL CONTRACT
COMPLIANCE PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR,**

Plaintiff,

v.

ORACLE AMERICA, INC.

Defendant.

**OALJ Case No. 2017-OFC-00006
OFCCP No. R00192699**

**DEFENDANT ORACLE'S
INTERROGATORIES, SET TWO
AND OFCCP'S RESPONSES
THERE TO**

The United States Department of Labor, Office of Federal Contract Compliance Programs (“OFCCP”), by and through the Office of the Solicitor, hereby submits its supplemental objections and answers to Defendant Oracle America, Inc.’s Interrogatories, Set Two.

PRELIMINARY STATEMENT

Discovery in this matter is currently ongoing. Each and every following response is rendered and based upon information reasonably available to OFCCP at the time of preparation of these responses. OFCCP reserves the right to amend the responses to these Interrogatories as discovery progresses. OFCCP will disclose its expert witness(es) and will supplement these responses according to the schedule agreed upon by the parties and adopted by Judge Clark on March 6, 2019. OFCCP has not completed its respective discovery in this action. OFCCP, therefore, specifically reserves the right to introduce any evidence from any source which may hereinafter be discovered in testimony from any witness whose identity may hereafter be discovered.

GENERAL OBJECTIONS

1. OFCCP objects to each of Defendant's Interrogatories to the extent that they seek information subject to any privilege, including but not limited to: the attorney-client privilege, common interest doctrine, and attorney work-product doctrine; the government's deliberative process privilege; the governmental privilege for investigative files and techniques; the government's informant privilege; trial preparation privilege; or any other privilege or exemption provided by the Rules of Practice, Federal Rules of Civil Procedure or Evidence, or the common law.
 2. OFCCP objects to each of Defendant's Interrogatories to the extent that they seek any documents or information that is irrelevant or otherwise beyond the scope of discovery permitted in this proceeding.
 3. OFCCP objects to the "DEFINITIONS AND INSTRUCTIONS" section as containing vague, ambiguous, and unintelligible definitions, and seeking to impose additional requirements on OFCCP that exceed and/or are inconsistent with the Federal Rules of Civil Procedure, 29 C.F.R. Part 18, and 41 C.F.R. 60-30.
 6. OFCCP objects to each of Defendant's Interrogatories to the extent they seek discovery that is not proportional to the needs of the case. Proportionality includes the parties' relative access to relevant information. Fed. R. Civ. P. 26(b)(1).
-

INTERROGATORY NO. 50:

If YOU contend that ANY of the discrimination alleged in the Second Amended Complaint is based upon a theory of disparate impact identify the policies, practices, procedures, and tests that YOU contend operate to have a disparate impact.

RESPONSE:

OFCCP incorporates the general objections stated above, and further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, the common interest doctrine, attorney work-product doctrine, the government's deliberative process privilege, the governmental privilege for investigative files and techniques, the government's informant privilege, the trial preparation privilege described in Rule 26(b)(3) of the Federal Rules of Civil Procedure, or exemption provided by the Rules of Practice, Federal Rules of Civil Procedure or Evidence, or the common law.

OFCCP objects to this interrogatory because by Interr. No. 34, Oracle had already asked the equivalent of 25 interrogatories in that its previous interrogatories (Interr Nos. 26-33) contained three subparts each. As such, Oracle exceeded the number of interrogatories that it can make without a court order.

OFCCP objects to this Interrogatory as compound, vague, and ambiguous with respect to the terms "identify," "policies," "practices," "procedures," "tests," and "operate." It is not clear what information Oracle is seeking to identify and what will constitute a sufficient identification. Is it the title of the policy or other terms referenced; is it the date they became effective, etc. It is not clear what Oracle considers a governing policy, practice, procedure to be, what constitutes an official or formal policy, practice or procedure of Oracle as opposed to an individual practice of an Oracle supervisor, etc. Is it referring to a validity test or some other kind of test? Operate is also vague and ambiguous. There are multiple ways that operate can be interpreted to include the manner of

functioning or managing, etc.

Subject to and without waiving the foregoing objections and notwithstanding the forgoing, please see OFCCP's response to Interrogatory No. 25. OFCCP further responds that it conducted a compliance review of Oracle's headquarters in Redwood Shores, California consisting of a comprehensive analysis and evaluation of Oracle's hiring and employment practices. OFCCP has produced its investigative file for Oracle HQCA, OFCCP Case No. R00192699 and has described with specificity which documents from that file contain information about policies, procedures and practices in its initial and supplemental response to Oracle's First Set of Interrogatories (as amended), Interr. No. 2 and 17. The evidence used at the hearing may rely on different facts and different policies, practices, procedures and tests than which is identified in response to this interrogatory. Discovery is ongoing and OFCCP will supplement this response as appropriate.

OFCCP does contend that discriminations alleged in the SAC are also based upon a theory of disparate impact. As noted above, while discovery remains ongoing, OFCCP identifies, at this time, the following Oracle policies, practices, procedures, and tests that may have a disparate impact:

- Oracle's recruiting and hiring practices to include: absence of objective criteria; subjective decision making; centralized recruiting; centralized hiring; resume screening; interview screening; employee referral practices; use of internal recruiters; selective school recruiting; recruiting from Oracle India;
- Oracle's pay practices to include: absence of objective criteria in setting pay, pay increases, performance, and raises; looking to prior salary to set pay; subjective decision making in setting pay, pay increases, performance, and raises; changing compa-ratios of employees that affect compensation for intra-company transfers; assignment of employees to lower paying positions and/or to lower global career levels; pay secrecy culture; limited, inconsistent use of performance evaluations,

promotions and raises; centralized budgeting; pay setting practices for starting pay, increases, and interns.

AS TO OBJECTIONS

DATED: April 9, 2019

Respectfully submitted,

KATE S. O'SCANNLAIN
Solicitor of Labor

JANET M. HEROLD
Regional Solicitor

JEREMIAH E. MILLER
Counsel for Civil Rights



ABIGAIL G. DAQUIZ
Senior Trial Attorney

Attorneys for OFCCP

Office of the Solicitor
United States Department of Labor

DECLARATION

I declare under penalty of perjury that to the best of my knowledge, the foregoing is true and correct.

Executed on _____ the ____ day of April, 2019.

JANE SUHR
Regional Director, OFCCP Pacific Region

CERTIFICATE OF SERVICE

I am a citizen of the United States of America and am over eighteen years of age. I am not a party to the instant action; my business address is 300 Fifth Ave., Suite 1120, Seattle, WA 98104.

On the date indicated below, I served the foregoing OFCCP'S OBJECTIONS AND ANSWERS TO DEFENDANT ORACLE AMERICA, INC.'S INTERROGATORIES, SET TWO by electronic mail, by prior written agreement between counsel, to the following:

Connell, Erin M.: econnell@orrick.com

Fuad, David: dfuad@orrick.com

Kaddah, Jacqueline D.: jkaddah@orrick.com

Parker, Warrington: wparker@orrick.com

Siniscalco, Gary: grsiniscalco@orrick.com

I certify under penalty of perjury that the above is true and correct.

Executed: April 9, 2019



Abigail G. Daquiz
Senior Trial Attorney
Office of the Solicitor
U.S. Department of Labor

EXHIBIT I

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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.)	

- - - - -

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 what I just... 02:54:55

2 Q. Do your analyses furnish evidence that 02:54:55

3 every woman in the population you studied was paid 02:55:09

4 less than some men performing substantially similar 02:55:12

5 work? 02:55:16

6 MS. FLORES: Objection. Vague. 02:55:16

7 A. No. 02:55:18

8 Q. Do your analyses furnish evidence that 02:55:21

9 any woman in the population you studied was paid 02:55:23

10 less than a man performing substantially similar 02:55:26

11 work? 02:55:28

12 A. Yes. 02:55:29

13 Q. Why do you say that? 02:55:32

14 A. Women were systematically paid less, 02:55:33

15 given the similar -- well, given that they are in 02:55:36

16 similar -- not similar work, given that they have 02:55:39

17 similar credentials. 02:55:42

18 Q. My question was about substantially 02:55:43

19 similar work. 02:55:46

20 So do your analyses furnish evidence 02:55:46

21 that any woman in particular in the population you 02:55:49

22 studied, was paid less than a man performing 02:55:51

23 substantially similar work? 02:55:54

24 A. Yes. 02:55:55

25 Q. How so? 02:55:56

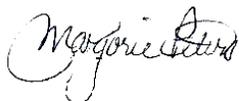
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CERTIFICATE OF COURT REPORTER

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.

EXHIBIT J

From: daquiz.abigail@dol.gov

Date: November 14, 2019 at 19:32:28 PST

To: kgrundy@orrick.com, jkaddah@orrick.com, wparker@orrick.com, econnell@orrick.com, grsiniscalco@orrick.com, kmantoan@orrick.com, dcolonna@orrick.com, dfuad@orrick.com

Cc: Schultz.Andrew@dol.gov, Bremer.Laura@dol.gov, flores.jessica@dol.gov, Garcia.Norman@DOL.GOV, eliasoph.ian@dol.gov, Song.Charles.C@dol.gov, Hermosillo.Mary.A@dol.gov

Subject: Oracle, OFCCP's Supp. Production and Reproduction of Attorney Notes

You have received 2 secure files from daquiz.abigail@dol.gov.

Use the secure links below to download.

Counsel,

Attached please find OFCCP's supplemental production at .zip file "OFCCP.2019-11-14.Supp.Prod."

On Oct. 23, Ms. Grundy requested information about seven declarants. While Oracle has not made a similar request for any of the other declarants, we provide the following list identifying which employee summary in OFCCP's response to Oracle's Interr. No. 49 matches with which declarant:

Amit Sharma, Employee No. 32
Colin McGregor, Employee No. 193
Avinash Pandey, Employee No. 172
Diane Boross, Employee No. 206
Jill Arehart, Employee No. 4
Bhavana Sharma, Employee No. 228
Dalia Sen, Employee No. 82
Maura Joglekar, Employee No. 214

Also, please see the attached .zip file containing reproductions of attorney notes for the declarants for whom we possessed attorney notes at "OFCCP.2019-11-14.Interview Notes Reproduced." They have been modified to remove redactions based on OFCCP's assertion of the government's informant privilege.

Please feel free to call me directly if you have any questions about the documents or issues accessing the files.

Sincerely,

Abigail G. Daquiz
Attorney
U.S. Department of Labor
Office of the Solicitor
300 Fifth Avenue, Suite 1120
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t 206-757-6762
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Secure File Downloads:

Available until: **28 November 2019**

Click links to download:

[OFCCP.2019-11-14.Supp.Prod.zip](#)

8.89 MB, Fingerprint: 5f2e78e3272284224082dcc0177a00c9 ([What is this?](#))

[OFCCP.2019-11-14.Interview Notes Reproduced.zip](#)

15.45 MB, Fingerprint: 654d619a25155b9c8a7c259e0ac13fd3 ([What is this?](#))

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