



July 13, 2018

Via E-Mail

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Re: *OFCCP v. Oracle, Inc., et al.*, Case No. 2017-OFC-00006
Response to July 6, 2018 Letter Re: Data Questions

Dear Laura:

I write in response to your letter dated July 6, 2018 entitled “Data Questions.”

These responses are in addition to, and should be read in concert with, answers regarding data questions and other information regarding data that we have previously provided. *See* Oct. 11, 2017 letter from E. Connell to L. Bremer, M. Pilotin, and I. Eliasoph; Nov. 28, 2017 letter from J. Pitcher to M. Pilotin; Dec. 8, 2017 letter from J. Pitcher to M. Pilotin; Dec. 18, 2017 letter from J. Pitcher to M. Pilotin; June 29, 2018 letter from J. Pitcher to L. Bremer. All answers herein are made to the best of our knowledge after a reasonable and diligent inquiry.

Additionally, your July 6 letter in several places asserts that we have “confirm[ed] your understanding” of certain issues. While our letters have endeavored to provide clarification and additional information about the data we produced, we do not intend, unless explicitly stated, to have “confirm[ed]” any other information or interpretation. For avoidance of doubt, this means that our silence in this responsive letter (or more generally) about any specific characterizations or assertions you made in your letter should not be understood as agreement or acquiescence.

Now, responding specifically to those points from your July 6 letter that appeared to request additional information:

2. Candidate Offers data (ORACLE_HQCA_0000062859)

a. At this point in time, we do not know whether there are instances where a start date and employee number were generated in the Candidate Offers system for an individual who received but did not accept his/her offer. We can endeavor to investigate further, but since this is a legacy system that is no longer used, please note that it is difficult to obtain answers.

b. That is our understanding as well.

c. We did not pull Candidate Offers data for years that pre-date January 1, 2013.



Laura C. Bremer
July 13, 2018
Page 2

7. Additional Data Pulls

a. As we have previously indicated, whether Oracle could run a search to determine the number of applicants who applied to any unfilled requisitions/vacancies for PT1 positions is irrelevant to OFCCP's hiring claims in this matter; if no one was hired for a given requisition/vacancy, that requisition/vacancy cannot form the basis for any failure-to-hire claim. Moreover, given the pendency of the stay in this action, and for reasons we articulated in response to your June 8, 2018 "Data Requests" letter, requests such as this one to write new scripts and pull new data for this matter are not appropriate at this time.

c. This is an incomplete recitation of the explanation in my previous letter; I refer you back to the technical explanation there. Only five offers were not captured in PT1_HQCA_IREC_MAIN.xlsx (ORACLE_HQCA_0000128176) due to the fact that the script used to generate that file did not capture individuals with a Hire_Type of "Student/Intern to Regular." We are making arrangements to produce data for those five offers and corresponding vacancies now. We are not aware at this time of any other relevant hire types that this script did not capture.

8. To the best of our knowledge, we are not aware of any limitations or "filters" placed on the RESUMate data exports provided for fiscal years 2013 to 2017 (other than limitation to that date range).

Regarding your further "questions about the content of the data Oracle produced":

1. PT1_HQCA_IREC_MAIN.xlsx (ORACLE_HQCA_0000128176)

- a. To our understanding, "active employees" as we described in connection with the "Internal Applicant" field to which your question relates would generally include Oracle entities or affiliates (including, for example, Oracle America, Inc. and Oracle India Private Ltd), but not Oracle Financial Services Software (OFSS).
- b. We do not yet have an update on the meaning of product association.

14. ORACLE_HQCA_0000070722 (AllEarnings2.xlsx) contains data exported from Oracle's payroll system. After a reasonable inquiry, to the best of our knowledge, a comprehensive data dictionary does not exist for all of the values in BALANCE_NAME (column H.). However, we believe that the majority of these are self-explanatory. If there are specific values for which you believe a definition is needed, please provide us a comprehensive list of those values.

a. Our understanding is that EFFECTIVE_DATE in ORACLE_HQCA_0000070721 (AllEarnings.xlsx) means the year to which the data corresponds. Note that in all instances the



Laura C. Bremer
July 13, 2018
Page 3

year in the EFFECTIVE_DATE column corresponds to the name of the particular tab in which that data is located.

15. Certain portions of this question, as set forth in your July 6 letter, implicate issues discussed and exchanged in connection with mediation, are subject to the mediation privilege, and thus are addressed by separate letter.

Regarding the files produced at ORACLE_HQCA_0000364082 to ORACLE_HQCA_0000364182, these files generally contain the same alpha-numeric code used in ORACLE_HQCA_0000070738 (Emp_Personal_Experience_Qualification_Assign_Details.xlsx), tab Emp Assignment information, columns R (Organization_Name) and S (ORGANIZATION_HIERARCHY) and defined in ORACLE_HQCA_0000070737 (CC Data Dictionary.xlsx). Our understanding is that the names of the individual files—which typically contain month and year information—should enable you to determine what first-level Organization value was mapped to a given second-level Organization value at a given point in time, and in turn how to map that second-level Organization value to higher-level Organization values at a related point in time

Take as an example ORACLE_HQCA_0000364118 (09.R12CC_List_13Feb14.xlsx) (mapping CC Code (column B) to LOB (column F)) and ORACLE_HQCA_0000364154 (Feb-14_FAH CC Hierarchies.xlsx).

- In ORACLE_HQCA_0000364118 (09.R12CC_List_13Feb14.xlsx), SL64 in column B (cell B123197) corresponds to DK9 in column F (cell F123197).
- In turn, “DK9” can be located in ORACLE_HQCA_0000364154 (cell I3381) and is nested under the column H value LBPNAD (cell H3371), which is nested under the column G value LBPSI (cell G3360), *etc.*
- Note that in ORACLE_HQCA_0000364154 (Feb-14_FAH CC Hierarchies.xlsx), “LBP” or “LB0” generally appear as a prefix to the alphanumeric codes defined in ORACLE_HQCA_0000070737 (CC Data Dictionary.xlsx).

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jennifer Pitcher".

Jennifer Pitcher